

LAW OF MONGOLIA

20 June 2003

Ulaanbaatar

ON DISASTER PROTECTION

CHAPTER ONE

GENERAL PROVISIONS

**Article 1. Purpose of the Law**

1.1 The purpose of the present law is to regulate matters relating to the principles and full powers of disaster protection organizations and agencies, their organization and activities, as well as the rights and duties of the State, local authorities, enterprises, entities and individuals in relation to disaster protection.

**Article 2. Legislation on Disaster Protection**

**2.1. The legislation on disaster protection shall consist of the Constitution of Mongolia, the present Law, and other laws and regulations enacted in accordance with the above legislation.**

**Article 3. Framework of the Law**

3.1 The present law shall authorize the framework of implementing disaster prevention, rescue, response and recovery measures except matters relating to war circumstances or to the impact of mass destruction weapons.

**Article 4. Definitions**

**4.1 Terms used in the present Law shall be understood as following:**

4.1.1. “**Disaster protection**” means the set of measures to prevent, protect and rescue people, livestock, properties and environment from the impact of disasters and to limit their consequences, to facilitate rapid recovery and to train the public for these activities;

4.1.2 “**Disaster**” means loss of many human lives and livestock, immense damage to property and environment caused by hazardous phenomena, major technological accident, terrorist acts or explosion;

4.1.3 “**Hazardous phenomena**” means severe snow, dust storm, drought, dzud, flood, earthquake, desertification, fire, epidemic, epizootic, hazardous vegetative disease or spreading of detrimental rodents;

4.1.4 “**Major technological accident**” means destruction of factories, buildings, communication or roads, or wreckage of means of transportation or leakage of radioactive and hazardous chemical substances caused by violation of technological procedure;

4.1.5 “**Risk of disaster**” means risk of possible damage to population, livestock, property or environment posed by disaster;

4.1.6 “**Disaster vulnerability**” means susceptibility of population, livestock, property or environment to disasters;

4.1.7 “**Resources for disaster protection**” means necessary food, clothing, materials, machinery, equipment and funds to be used by the disaster protection services of the State, Aimag, capital and all other levels, their Staff, rescue units, teams, branches and specialized units in order to deliver disaster protection measures;

4.1.8 “**Disaster protection mobilization**” means the activities involving manpower, machinery or equipment, necessary objects, facilities and territories in order to carry out disaster prevention, rescue, response or recovery measures;

4.1.9 “**Prevention**” means carrying out measures aimed at mitigation of disaster and possible damage;

- 4.1.10 “Damage caused by disaster” means the total loss the country, local area, enterprises, organizations and population, caused by suffering people’s health, lives, the loss of livestock, animals, property and the environmental pollution in disaster;
- 4.1.11 “Disaster site” means the territory where limitations are imposed because of a disaster, and wherein the rescue and response activities are undertaken;
- 4.1.12 “Disaster warning” means the dissemination of signals and warning information regarding the danger of a disaster to the population;
- 4.1.13 “Victims” means the people, whose life, health or property have suffered from a disaster;

#### **Article 5. Main Principles of Disaster Protection Activities**

5.1. The next principles shall be followed in disaster protection activities:

- 5.1.1. Timely execution of measures aimed at disaster prevention, rescue, response or recovery;
- 5.1.2. In planning and carrying out disaster protection measures, to take into consideration population and industrial location, their density and concentration, weather conditions, industrial and technological specifics, scale of real threat posed by the disaster;
- 5.1.3 To execute comprehensively the measures aimed at ensuring disaster preparedness;
- 5.1.4. Organization of disaster protection activities regardless of forms ownership;
- 5.1.5. To coordinate the collaboration of governmental organizations, NGOs and the general public;

#### **Article 6. Ensuring Transparency in Disaster Protection Activities**

6.1. Information on the activities of the disaster protection organizations any threat, damage and consequence of disasters shall be open and transparent to the public if the law does not stipulate otherwise.

6.2. The disaster protection organizations and services shall provide the population timely and true information through the media and other means on the activities undertaken for disaster prevention, rescue, response and recovery or their results.

#### **Article 7. Disaster Protection Training**

7.1 The goal of the disaster protection training is to train and retrain relating organizations, services, officials and citizens in disaster prevention, rescue, response and recovery.

7.2 The disaster protection training shall be classified as training for senior officials; rescue units, teams and branches; specialized units; students and pupils; employed and unemployed citizens.

7.3 The disaster protection training shall be organized by the following organizations and officials:

7.3.1 The state administrative organization in charge of disaster protection shall organize training for its officials, managers of the state, Aimag and capital disaster protection services;

7.3.2 Heads and Staffs of the Aimag and capital disaster protection services shall organize training for the managers of Soum, district, entities and enterprises disaster protection services, heads of specialized units and citizens occupying positions similar to them;

7.3.3 Governors of Soum, district, bag and khoroo and heads of enterprises and organizations shall organize the training for the disaster protection personnel of the Soum, district, bag and khoroo, entities and enterprises;

7.3.4 Heads of corresponding rescue units, teams and branches, as well as specialized units shall organize training for the personnel of rescue units, teams and branches;

7.3.5 The training of students and pupils shall be organized by the State Administrative Central Agency in charge of education based on the lesson plans of the corresponding school.

7.3.6 The training for other people shall be organized by governors of bag and khoroo.

7.4 The training for personnel of the state administrative organization in charge of disaster protection, rescue units, teams, branches, specialized units, students, pupils, employed and unemployed citizens shall be provided once a year; the training for senior officials of the state, Aimag, Soum, district, bag and khoroo disaster protection services shall be held once every 2 years.

## **CHAPTER 2**

### **Disaster Protection Readiness**

#### **Article 8. Levels of Disaster Protection Readiness**

8.1. The disaster protection organizations, services, state and local administrations, entities and enterprises have the following levels of readiness:

- 8.1.1. Everyday readiness;
- 8.1.2. High level of readiness;
- 8.1.3. All-out readiness;

8.2. The following measures shall be carried out at the level of everyday readiness:

- 8.2.1. To develop and follow a disaster protection plan, taking into consideration the territorial and technological specifics;
- 8.2.2. Keep the means of communication and information dissemination ready to work, to train the population to act according to predetermined signals;
- 8.2.3. Promote the disaster prevention measures;
- 8.2.4. Re-equip the disaster protection rescue units, teams, branches and specialized units with manpower, machinery and equipment and step up their preparedness;
- 8.2.5. Improve the disaster protection training and exercises;
- 8.2.6. Form disaster protection reserves;
- 8.2.7. In everyday readiness the state, local administrations, entities and enterprises could be shifted to a special work regime during a disaster situation or a possible disaster. The procedure of special work regime should be established by the state administrative organization in charge of disaster protection

8.3. The following measures shall be carried out at the level of high level of readiness:

- 8.3.1. Introduction of clarifications in the disaster protection plan and dissemination of the warning signals to the population;
- 8.3.2. Shift the administrative-territorial management, and staff personnel to their disaster time duties;
- 8.3.3. Shift the headquarters, information and communication facilities to the state of everyday readiness;
- 8.3.4. Raise public awareness, receive and transmit any information directly, and disseminate the warning signals and information to organizations and the population permanently;
- 8.3.5. Mobilize manpower, machinery and materials and carry out joint exercises and training for supervisors, disaster protection staffs and search and rescue units, teams, branches and specialized units;
- 8.3.6. Impose quarantine;
- 8.3.7. Increase the reserves of materials and equipment;

8.4. During the all-out readiness level the following measures shall be carried out:

- 8.4.1. limit, for the period of time, the activities of the industry and service organizations other than nationwide and local communications, energy, public utilities, petrol stations and strategic organizations;
- 8.4.2. Authorities of the disaster protection organizations and services, their Staff, rescue units, teams, branches and specialized units as well as respective administrative-territorial units shall fully implement the planned measures for rescue of the population from disaster and its mitigation;

8.5. In case of shifting to all-out readiness level directly, the activities that should be undertaken during high level of readiness shall be undertaken simultaneously with other activities.

#### **Article 9. Shifting to the Disaster Protection Readiness Level**

9.1. Disaster protection readiness level shall be implemented in order to step-by-step organization and implementation of disaster prevention, rescue, response and recovery measures.

9.2. Movement to the high level of disaster protection readiness is in order to carry out the disaster prevention, rescue, response and recovery measures in some areas and units.

9.3. In order to carry out the disaster prevention, rescue, response and recovery measures in disaster sites of several administrative-territorial units the level of readiness shall be shifted to the disaster protection all-out readiness level;

9.4 State and local authorities, entities and enterprises shall be shifted entirely or partially to a disaster protection readiness level directly or gradually step-by-step.

9.5. The decisions to shift to the disaster protection high and all-out readiness levels shall be made by the following:

9.5.1 in a disaster or possible disaster in some areas of the territory of a Soum or a district, the Governor of the respective Soum or district

9.5.2 in a disaster or possible disaster on the territory of 2 Soums or districts or more, the Governor of the respective Aimag or capital

9.5.3 in a disaster or possible disaster on the territory of several Aimags, the Government

9.6. The decisions indicated in the articles 9.5.2, 9.5.3 should be made on the basis of a proposal, by Governor of the respective level or the state administrative organization in charge of disaster protection.

9.7. The proposals and conclusions shall have attached a draft decision containing the grounds for shifting to a disaster protection readiness level and the assessment of the disaster situation or possible disaster that covers a region or is spreading across a territory.

9.8. During the organization of disaster prevention, rescue, response and recovery measures mobilization of resources and evacuation of people and property will be allowed. The Government shall determine the procedures for conducting such the mobilization and evacuation.

9.9. The mobilization of armed forces into rescuing and mitigating activities when it is necessary should be decided on the basis of the Government proposal by the President of Mongolia as a General Commander of armed forces;

9.10. It is possible for the Governor of the respective level to shift the local administrative organizations, professional services, entities and enterprises temporarily to a disaster protection readiness level during the disaster protection exercises and training;

9.11. The declaration of a state of emergency aimed at a prompt mitigation of damages incurred through disaster that has become impossible to regulate by this law, shall be regulated by the “Law on emergency situation”;

#### **Article 10. Determining the Area of the Territory Affected by a Disaster**

10.1. The disaster affected area shall be determined as following:

10.1.1 The boundaries for the disaster affected area in the territory of Soums and districts should be determined by the governor of the respective Soums and districts;

10.1.2. The boundaries of the disaster affected area covering territory in more than 2 Soums or districts should be determined by the Governor of the respective Aimag or capital;

10.1.3. The boundaries of the disaster affected area in territories of Aimag, capital and several Aimags, should be determined by the Government based on a request from the Governor of the respective Aimag, capital and the conclusion of the state administrative organization in charge of disaster protection;

#### **Article 11. Communications and Warning System of the Disaster Protection**

11.1. The state administrative organization in charge of disaster protection shall organize a special use communications network for the nation-wide implementation of disaster protection measures on the nation-wide, Aimag, capital, Soum, district, branch and unit to bag and community level. When it is required the inter-state communications network shall be used for this purpose.

11.2. The communications network shall be used for the collection of information on the disaster, for dissemination of the decisions of the authorities to the state and local administrative organizations, branches and units as well as for the inter-state mutual exchange of information.

11.3 The news, information, warning signals and warning information regarding the disaster shall be transmitted through a special use and communication, information organization’s network.

11.4 The communication, information organizations are obliged to transmit the disaster warning signals and warning information free of charge regardless of the form of ownership and their types.

11.5 The Government shall determine the procedures involved in the transmission of disaster warning signals and warning information.

11.6 The state administrative organization in charge of disaster protection shall organize the contact and exchange of information with the Staff working at the disaster site

#### **Article 12. Disaster Assessment**

12.1. The working group appointed by the state administrative organization in charge of disaster protection shall assess disaster risk and vulnerability.

12.2. The Government shall determine the procedure and methodology of conducting the assessment.

### **CHAPTER 3**

#### **Structure and Management of the Disaster Protection Organizations**

#### **Article 13. Structure of Disaster Protection Organizations**

13.1. The structure of disaster protection organizations is composed on the territorial-industrial principle regardless of the ownership in the state, Aimag, capital city, Soum, district, bag, khoroo , entities and enterprises.

13.2. The state administrative organization in charge of disaster protection and their units, teams, branches and staffs in Aimags, capital cities and districts are responsible for the nation wide implementation of the disaster protection activities.

13.3 The unofficial services and specialized units are in administrative and territorial units.

13.4 The entities, enterprises, bags and khoros are responsible for disaster protection at the grassroots level.

#### **Article 14. Structure of Disaster Protection Management**

14.1 The Prime Minister of Mongolia shall direct the disaster protection activities at the state level. The head of the state administrative organization in charge of disaster protection and the Governors of the territorial units shall organize and manage the disaster protection activities in their respective Aimag, capital city, Soum, district and khoroo.

14.2. Heads of the entities and enterprises shall organize and manage the disaster protection activities in their respective units and organizations.

#### **Article 15. The State Administrative Organization in Charge of Disaster Protection**

15.1. The state administrative organization in charge of disaster protection is the organization responsible for the implementation of the state disaster protection policy and the legislation on disaster protection and the organization of nation-wide disaster protection activities and is provided with professional management.

15.2. The state administrative organization in charge of disaster protection is set up and dissolved by the Government on the basis of the scheme approved by the Parliament.

15.3. The strategy of activities and organizational structure of the state administrative organization in charge of disaster protection shall be adopted by the Prime Minister.

15.4. The head of the state administrative organization in charge of disaster protection shall be appointed and dismissed by the Government upon the proposal of the Prime Minister.

15.5. The branches and units subordinate to the state administrative organization in charge of disaster protection shall be set up by the decision of the Government taking into account the territorial, natural and meteorological conditions.

15.6. The state administrative organization in charge of disaster protection shall have a symbol. The design of the symbol as well as the rules of their application shall be adopted by the Government.

15.7. The state administrative organization in charge of disaster protection shall use its own seal, logo, and letterhead in accord with the related regulations.

#### **Article 16. Disaster Protection Service and Its Management**

16.1. Disaster protection non-official services of State, Aimag, capital city, Soum, district bag and khoroo shall be established with their goal to implement disaster protection duties.

16.2. The Prime Minister shall establish the State Disaster Protection Services supported by the related state administrative organization. The Governors of the respective level shall establish the disaster protection services of Aimag, capital city, Soum, district, bag and khoroo on related entities and enterprises.

16.3. The heads of the State Disaster Protection Services are the heads of the respective state administrative organization. The heads of the disaster protection services of Aimag, capital city, Soum, district, bag and khoroo are the heads of the entities and enterprises.

#### **Article 17. State Disaster Protection Service**

17.1. In order to coordinate the activities of disaster prevention, rescue, response and recovery the following disaster protection non-official state services supported by related state administrative organization shall be created

- 17.1.1. Natural and chemical danger assessment and information service;
- 17.1.2. Health protection service;
- 17.1.3. Food and agriculture service;
- 17.1.4. Infrastructure service;
- 17.1.5. Order service;
- 17.1.6. Public awareness and information service;
- 17.1.7. Fire fighting service;
- 17.1.8. Radiation protection service.

17.2. New state disaster protection services shall be created and disbanded by the decision of Prime Minister in necessary case.

#### **Article 18. General Directives and Duties of the State Disaster Protection Service**

18.1. The State Disaster Protection Service shall implement the following general directives and duties:

- 18.1.1. To plan and organize the implementation of the disaster protection activities within the framework of the engaged section;
- 18.1.2. To ensure the execution of laws and resolutions of higher authorities related to the disaster protection;
- 18.1.3. To establish the management for disaster protection service, staff and specialized unit according to the specifics of the engaged section and to organize their training and preparedness;
- 18.1.4. To ensure unaltered essential services of engaged section during the disaster situation;
- 18.1.5. To keep the warning information systems of the engaged section constantly ready;
- 18.1.6. To form the reserves of the machinery, equipment and tools for preventing and responding to damages caused by a disaster situation and keep them ready;
- 18.1.7. To provide disaster protection services in Aimag and capital city with the professional management of engaged section;
- 18.1.8. To immediately inform state administrative organization in charge of disaster protection on disaster situation and get their professional support;
- 18.1.9. To involve the professionals and machinery, equipment and tools of the engaged section in the operational staff dispatching to disaster site;
- 18.1.10. To dispose of funds allocated for a disaster according to the purpose;
- 18.1.11. To assess the damages caused by the disaster and to detail accordingly the proposals on measures to be taken;
- 18.1.12. To provide information and reports on the disaster situation

#### **Article 19. Disaster Protection Operational Staff**

19.1. The disaster protection operational staff shall fulfill such special duties as organizing and managing of disaster prevention, rescue, response and recovery measures in the disaster sites and coordinate the activities of involving entities and enterprises.

19.2. The operational staff working in time of the disaster situation shall be designated by the decision of the Prime Minister.

19.3. The main type of the activity of the operational staff shall be its meeting. The head of staff shall issue a decision on the basis of member's majority opinion.

19.4. The local administrative authorities, entities and citizens shall follow the decisions issued by the operational staff.

19.5. The activities of disaster protection operational staff shall be allocated from the Government reserve foundation.

#### **Article 20. Disaster Protection Resources**

20.1 The disaster protection resources shall be rescue units, teams, and branches, non-official specialized services and specialized units of the entities and enterprises in charge of the disaster protection.

20.2 The specialized units shall be formed from the citizens of Mongolia, who are able to work males of 16-60 years of age and females of 16-55 years of age. This contingent excludes people serving in the army, disabled, pregnant women and people with young children who can't be left without care.

#### **Article 21. Rescue units, Teams and Branches**

21.1. The rescue unit shall be responsible for disaster prevention at the state and local level, dislocating rapidly and searching and rescuing according to the technical requirements in case of insufficient local resources in disaster sites, providing all kind of emergency aid to the victims, evacuating them to secure places and protecting their properties.

21.2. The rescue team and branches shall be responsible for disaster prevention and rescue in the disaster site according to the technical requirements in local area.

21.3. The Head of the state administrative organization in charge of disaster protection shall approve the structure, availability and organization of the rescue units, teams and branches and the regulations of their activities.

### **CHAPTER 4.**

#### **Powers of the State Administrative Organization and Officials on Disaster Protection**

#### **Article 22. The Powers of the Government**

22.1. The Government of Mongolia shall exercise the following powers on disaster protection that are not provided in other legislation:

22.1.1. To submit the draft of disaster protection program of Mongolia for the consideration of the Parliament, to take the measures in order to implement it.

22.1.2. To adopt the regulation on forming and disposing of disaster reserves.

#### **ARTICLE 23. THE POWERS OF THE PRIME MINISTER**

23.1. The Prime Minister shall exercise the following powers:

23.1.1. To develop the state policy on the disaster protection and direct disaster protection nationwide activities;

23.1.2. To submit to the Government the plans on disaster prevention, rescue of human lives and properties, response and recovery measures, and impose monitoring on the implementation of them;

23.1.3. To provide state disaster protection mobilization and to propose to the Government the grounds for shifting to the disaster protection readiness in accord with the article 9.5.3 of this law;

23.1.4. To propose to the Government the issue on allocating additional expenditures from Government Reserves and some material and equipment from the State Reserves for the measures of disaster prevention, rescue of human lives and properties, response and recovery;

23.1.5. To make the decision on disposing of disaster protection reserves.

23.2. The Consulting Commission for coordinating and organizing the measures of disaster prevention, rescue, response and recovery shall operate next to the Prime Minister. The Government shall adopt its composition and regulations.

#### **Article 24. The Full Power of State Administrative Organization in Charge of Disaster Protection**

24.1 The state administrative organization in charge of civil protection shall exercise the following full powers:

24.1.1. To organize activities to implement the state policy, legislation and Governmental decisions on disaster protection, and to monitor the implementation of it;

24.1.2. To coordinate the state and local executive body's activities in the frame of organizing and taking measures for disaster prevention, rescue, response and recovery;

24.1.3. To support the activities of the disaster protection services and specialized units of state and local administrative authorities, economical units and organizations according to the regulations adopted by the Government;

24.1.4. To organize the formation of disaster reserves in state and local administrative authorities, related entities and enterprises and branches and restore it;

24.1.5. To organize disaster protection training at the national level;

24.1.6. To implement of disaster protection activities with the methodological management at national level;

24.1.7. To get the information and reports necessary for executing the disaster protection activities from state and local administrative authorities and disaster protection services of state, Aimag and capital city, to create a disaster database;

24.1.8. To manage the activities of distributing disaster reserves released by the decision of the Prime Minister and the humanitarian aid provided by other countries, international organizations, foreign and local organizations, legal entities and individuals within the framework of civil protection to the victims;

24.1.9. To cause an authorized body to do the vulnerability and risk assessment for entities and enterprises;

24.1.10. To monitor the execution process of disaster protection activities taken by state and local authorities;

24.1.11. To analyze the practices of using the legislation on disaster protection and accordingly to present to the authorized body it's improved version of the proposal;

24.1.12. To communicate with the related foreign and international companies on disaster protection matters and to develop the cooperation;

24.1.13. To communicate with the non governmental organizations on disaster protection matters;

24.1.14. Other powers given by the legislation and government..



## **Article 25. The Full Power of the Head of State Administrative Organization in Charge of Disaster Protection**

25.1. The head of State Administrative Organization in charge of disaster protection shall exercise the following full powers:

25.1.1. To determine the structure and the organization of the disaster protection services of the State, Aimag, capital city, district, bag, khoroo, entities and enterprises, the operational staff, resources and dislocate them and to plan and carry out the measures providing their preparedness;

25.1.2. To provide the President of Mongolia, the Speaker of the Great Khural and the Prime Minister with information on the disaster situation;

25.1.3. To define the obligations of disaster protection services of State, Aimag, capital city, district, bag and khoroo if the legislation does not stipulate otherwise;

25.1.4. To mobilize from the local area the manpower, machinery and material necessary for providing the activities of disaster prevention, rescue, response and recovery at the disaster site according to the decision of the Prime Minister;

25.1.5. To inform the population on the hazards of the disaster, to create a common information system of disaster protection management;

25.1.6. To train the population for disaster protection measures, to form disaster reserves and to monitor it's restoring;

25.1.7. To dispose the approved budget of the State Administrative Organization in charge of disaster protection according to the related procedure;

25.1.8. To represent the organization in local and foreign relations;

25.1.9. To approve the structure, organization and vacancy for subordinating branches of State Administrative Organization in charge of disaster protection;

25.1.10. To approve the regulations and guidance related to the disaster protection;

25.1.11. To designate, dismiss and promote the heads and officers of divisions and subordinating branches of State Administrative Organization in charge of disaster protection;

25.1.12. Other full powers given by the legislation and government.

25.2. The head of the State Administrative Organization in charge of disaster protection shall issue orders in the framework of the given full power and in accordance with the legislation.

## **Article 26. The Full Power of Governors of Aimag, Capital City, Soum, District, Bag and Khoroo**

26.1. The governors of Aimag, capital city, Soum, district, bag and khoroo shall exercise the following full powers:

26.1.1. To plan, finance, manage and carry out the disaster protection activities at the administrative and territorial level;

26.1.2. To shift to the disaster readiness level according to the Law;

26.1.3. To create the disaster protection service, staff and specialized units according to the specifics of the related areas and to train them to be competent to fulfill their duties during the disaster situation;

26.1.4. To create a source of budget essential during the disaster situation and to dispose it;

26.1.5. To provide the higher authorities and the State Administrative Organization in charge of the disaster protection with the information on the disaster situation and carry out activities and to get professional consultation, instruction and support;

26.1.6. To insure the implementation of the disaster protection legislation and higher authority decisions;

26.1.7. To mobilize the manpower and machinery at the administration and territory level during the disaster situation;

26.1.8. To insure normal activities of the rescue teams, units, branches, services and specialized units;

26.1.9. To keep the communication and warning information systems constantly ready;

26.1.10. To assess the damages caused by the disaster and to elaborate accordingly the proposals on measures to be taken;

26.1.11. To urgently inform the higher authority of the information on the disaster situation;

26.1.12. Other full powers given by the legislation.

26.2. The Governors of bags and khoroo shall implement the powers related to him from powers referred to in point 1 of this article.

## **CHAPTER 5**

### **The Duties of Entity, Enterprise and Citizens on Disaster Protection**

#### **Article 27. The Duties of Entities and Enterprises**

27.1. Entities and enterprises shall be responsible for following the disaster protection activities regardless of their jurisdiction, kind of property and type:

27.1.1. To elaborate, approve and implement a disaster protection plan;

27.1.2. To create the disaster protection non-official staff, service, and specialized units according to the specifics of own activity;

27.1.3. To supply the specialized units with necessary machinery and materials;

27.1.4. To train the specialized units and the personnel in the disaster protection activities in order to make them competent to work in the disaster site and to be prepared;

27.1.5. To execute and implement laws and regulations related to disaster protection issued by the authorized organization;

27.1.6. To render the vulnerability and risk assessment of disaster;

27.1.7. To create a source of budget necessary in time of a disaster and to dispose it according to the purpose;

27.1.8. To adjust the duties of the Disaster Protection Staff and specialized units to the needs of disaster time;

27.1.9. To provide the related higher authorities with the urgent information regarding the disaster

## **Article 28. The Duties of Citizen**

28.1 The citizen of Mongolia shall be responsible for following on disaster protection:

28.1.1. To execute and implement the laws and regulations on the disaster protection issued by the authorized body;

28.1.2. To participate in the disaster protection training and other organized measures;

28.1.3. To respect and follow the safety requirements in private life and everyday activities, the industrial, technological discipline and ecological safety requirements;

28.1.4. To recognize the disaster protection warning and information signals and be aware to act accordingly, possess the self-protection skills;

28.1.5. To assist people who have suffered by the disaster and participate in activities to protect properties;

28.1.6. To learn the use of personal and public protection tools designed to protect from disaster;

28.1.7. To participate in the disaster prevention, rescue, response and recovery activities according to the approved procedure;

28.1.8. To provide the related executive body with the urgent information on the disaster situation.

## **CHAPTER 6**

### **The Disaster Protection Serviceman, and Its Legal Status**

#### **Article 29. The Disaster Protection Serviceman**

29.1. The citizen satisfying the requirements indicated in the Law on State Service and the regulation approved by the state administrative organization in charge of disaster protection and health, physiological, professional, educational and moral requirements and criteria shall be allowed to work as a serviceman of the state administrative organization in charge of disaster protection, its branches, units and disaster protection organizations of Aimag, capital city and districts.

29.2. The position of the disaster protection serviceman is related to the state special service.

#### **Article 30. The Rights of the Disaster Protection Serviceman**

30.1. The disaster protection serviceman shall exercise the following rights aside from the general rights of a state serviceman indicated in the Law on State Service:

30.1.1. To receive food, staff, special purpose clothing and rescue material, equipment and tools, self-protection means during the disaster work time participation in training and the implementation of duty.

30.1.2. To proceed freely to the related object for the disaster response activities;

30.1.3. To get free medical services and treatment for injuries and disabilities received while carrying out disaster prevention, rescue, response and recovery activities,

30.2. The disaster protection serviceman shall have a certificate made in accordance with established regulations.

#### **Article 31. The Duties of the Disaster Protection Serviceman**

31.1. The disaster protection serviceman shall be responsible for following duties aside from the general duties of state serviceman indicated in the law on State Service:

31.1.1. To be ready for disaster prevention, rescue, response and recovery activities,

31.1.2. To execute the disaster prevention, rescue, response and recovery activities in accordance with the technical specifications and safety requirements;

31.1.3. To give instructions and to provide professional support to the organizations, officers and citizens participating in disaster prevention, rescue, response and recovery activities at the disaster site;

31.1.4. To follow the discipline regulations of a disaster protection serviceman

31.2. The Government shall approve the discipline regulations of a disaster protection serviceman.

**Article 32. The rank, uniform and insignias of the disaster protection serviceman**

32.1. The disaster protection serviceman shall wear the uniform with the rank and insignias according to its official position.

32.2. The regulation on awarding the ranks and design of uniform in accordance with point 1 of this article shall be approved by the President and the duration of uniform exploitation by the Government.

*Article 33. Guarantee for Discharging of Duties of Disaster Protection Organization and Its Serviceman*

33.1. If the disaster protection serviceman carried out legally approved activities during the disaster according to the desire of citizens and organizations, at non-working time, on the other territory, these activities shall be considered as discharge of his/her duties.

33.2. Individuals and officials shall be obliged to fulfill the legal demands of Disaster Protection organization and its serviceman.

33.3. The disaster protection serviceman and citizen shall receive the regular expenses for assignment in triple size for their work in the disaster site.

33.4. The expenses of food and materials used by the disaster protection serviceman during their implementing of duty, working in night, participating in disaster training and retraining and shifting to the readiness level shall be provided by the state.

33.5. Disaster protection serviceman shall have a qualification level. The regulation of conferring the qualification level shall be approved by the head of the state administrative organization in charge of disaster protection.

33.6. The Government shall be responsible for the damage to property of disaster protection serviceman caused by the implementation of duties in accordance with the regulations.

33.7. The pension and benefits paying to the disaster protection serviceman or his/her family in case of harming the health or loss of life whilst discharging their duties shall be regulated by the law.

**Article 34. The Pension and Benefits of the Disaster Protection Serviceman**

34.1. The pensions and benefits of the disaster protection servicemen shall be regulated in accordance with the law.

34.2. The benefits shall be paid to the citizen or to his/her family the same as to disaster protection serviceman in case of temporary or permanent disability or loss of life during the participation in the activities for disaster prevention, rescue, response and recovery and training.

## **CHAPTER 7 MISCELLANEOUS**

### **Article 35. Financing of Disaster Protection Activity**

35.1. Centralized disaster protection activities carried out at state level shall be financed from the State budget; disaster protection activities of the Aimag, capital city, Soum, district, bag, and khoroo from local budget. Entities and enterprises shall be liable for expenses by own fund.

35.2. The Government shall be responsible for expenses related to the organization of disaster prevention, rescue, response and recovery activities at the disaster site for state owned entities and enterprises; other entities and enterprises shall be responsible for expenses related to disaster by their own fund.

35.3. The regular salary shall be paid to employees for their work in the disaster site and the benefits equal to the minimum salary of the employment to the other citizens.

### **Article 36. Penalties for Breach of Disaster Protection Legislation**

36.1. Elements breached disaster protection legislation shall be liable to the following administrative penalties, if the breach does not constitute a criminal offence:

36.1.1 Entities and enterprises breaching the Articles 7.3.2-7.3.6 of this law shall be imposed fines of up to 150000-250000 tugrugs and officials up to 40000-60000 tugrugs;

36.1.2. Entities and enterprises breaching the Articles 11.3 and 11.4 of this law shall be imposed fines of up to 150000-250000 tugrugs, officials up to 30000-60000 tugrugs and individuals up to 5000-25000;

36.1.3. Entities and enterprises breaching the articles 18, 26, 27, 28 of this law shall be imposed fines of up to 100000-250000 tugrugs, officials up to 30000-60000 tugrugs and individuals up to 10000-25000 tugrugs.

36.2. The officials guilty of causing damage to health and life of people, property, livestock, animal and environment during the disaster response activity shall be liable according to the legislation.

36.3. The administrative penalties referred in the point 1 of this article shall be imposed by the authorized officials.