

Unofficial translation
LAW OF MONGOLIA ON COMMUNICATIONS
/Revised Edition/
October 18, 2001 Ulaanbaatar
CHAPTER ONE
GENERAL PROVISIONS

Article 1. Purpose of this Law

1.1. The purpose of this Law is to regulate relations related to establishing, using and protecting of telecommunication network in Mongolia, promoting economic efficient and fair market competition and providing citizens and legal entities with qualified product and services of information and communication technology.

/This provision was amended by the Law dated on May 30, 2019/

Article 2. Legislation on communications

2.1. The legislation on communications is comprised of the Constitution of Mongolia, this Law and other relevant legislative acts issued in conformity with them.

2.2. If an international treaty of Mongolia is inconsistent with this Law, then the provisions of the international treaty shall prevail.

2.3. Relations concerning broadcasting services shall be regulated comprehensively by the Law on Broadcasting.

/This provision was added by the Law dated on May 30, 2019/

Article 3. Definitions of terms of Law

3.1. The following terms used in this Law shall be understood as follows:

3.1.1 "Line" means any transmission environment /wire, radio wave or space/ established for the purpose to transmit, transfer and receive information, and a complex of insulators, ducts, columns, towers, buildings, fields and other objects used to protect them;

3.1.2. "Network" means a communication line used to transmit, transfer and receive information between two or more users, and a set of technical devices for receiving, sorting, transporting and delivering postal parcel;

3.1.3. "Operation" means activities of repairing, measuring and configuring towards to ensure stable operation of communication network;

3.1.4. "Service" means an activity of providing needs of communication information of customer using communication network;

3.1.5. "Service provider" means a citizen or legal entity licensed to conduct activities specified in Articles 15.16.1-15.16.3 of the Law on Licensing of Business Activities;

/This provision was amended by the Law dated on May 15, 2003/

/This provision was amended by the Law dated on May 30, 2019/

3.1.6. "Customer" means a citizen or legal entity involving in an agreement for communication services with the right to purchase services;

3.1.7. "Point of demarcation" means a point of interconnection between service provider, customer line and network;

3.1.8. "Universal service obligation" means a delivery of essential postal and telecommunications services to remote area and unserved population with reasonable price in the framework of state policy;

/This provision was amended by the Law dated on May 15, 2003/

3.1.9. "Universal service obligation fund" means assets accumulated to implement universal service obligation;

/This provision was amended by the Law dated on May 15, 2003/

3.1.10. "Communication" means all types of telecommunication, radio, television, post and information technology;

/This provision was amended by the Law dated on May 15, 2003/

3.1.11. "Telecommunication service" means an activity of transmitting of all types of information using telecommunication network;

/This provision was amended by the Law dated on May 15, 2003/

3.1.12. "Integrated numbering plan" means a numerical expression for identifying international, internal and local network and service provider and determining direction of calls;

/This provision was amended by the Law dated on May 15, 2003/

3.1.13. "Number portability service" means a service that allows a customer to retain and use existing number when unsubscribing from one telecommunication service provider and subscribing to another telecommunication service provider;

/This provision was added by the Law dated on July 01, 2014/

3.1.14. "Information technology" means activities to create, process, store, transmit, exchange and provide services of electronic information, connect with other devices and ensure their security using computers and communication networks;

/This provision was added by the Law dated on May 30, 2019/

3.1.15. "Regulation" means a complex of activities concerning to approve procedures, establish contracts, monitor and make decision on issues specified in the legislation related to issuance, extend, suspend, renew, revoke and transfer license on information and communication technology, and define conditions and requirements of the license.

/This provision was added by the Law dated on May 30, 2019/

3.1.16. "Domain name" means a combination of letters, numbers and other characters specifically assigned to the country that identifies the address of internet resource;

3.1.17. "Normative document" means norms, rules, instructions and methodology containing requirements to conduct communication activities;

/This provision was added by the Law dated on May 30, 2019/

3.1.18. "Interconnection" means network connection between two service providers;

/This provision was added by the Law dated on May 30, 2019/

3.1.19. "Connect to network" means that a service provider connects to another connected service provider's network in order to deliver its service to customer;

/This provision was added by the Law dated on May 30, 2019/

3.1.20. "Type approval" means certifying in written by an authorized entity that communication equipment and products meet determined requirements;

/This provision was added by the Law dated on May 30, 2019/

CHAPTER TWO

FULL POWERS OF STATE BODY ON COMMUNICATIONS

Article 4. Full powers of the State Great Khural

4.1. State Great Khural shall elaborate the state policy on communications.

/This provision was invalidated by the Law dated on May 30, 2019/

Article 5. Full powers of Government

5.1. The Government shall exercise the following powers on communications:

5.1.1. To approve the state policy on communications and organize implementation of the legislation;

/This provision was amended by the Law dated on May 30, 2019/

5.1.2. To establish the Communications Regulatory Commission and approve its charter;

5.1.3. To approve procedures for creating and spending the universal service obligation fund;

5.1.4. To approve the national program to introduce information and communication technology based products and services and organize its implementation;

/This provision was added by the Law dated on May 30, 2019/

5.1.5. To approve procedures for financing and rules of the policy research organization to develop knowledge-intensive, high tech and export-oriented national industries in the field of information and communication technology.

/This provision was added by the Law dated on May 30, 2019/

Article 6. Full powers of the State Administrative Organization in charge of communication matters

6.1. The State Administrative Organization in charge of communication matters shall exercise the following powers:

/This provision was amended by the Law dated on January 27, 2005/

/This provision was amended by the Law dated on December 19, 2008/

/This provision was amended by the Law dated on May 30, 2019/

6.1.1. To implement legislation on communications and decisions of the Government;

6.1.2. To elaborate the state policy on communications and to organize its implementation;

/This provision was amended by the Law dated on May 30, 2019/

6.1.3. To approve and implement the state directions on introduction of new technologies and promotion of competition restricting the abuse of dominance and procedures, instructions and methodologies related to the introduction of new technologies;

/This provision was revised by the Law dated on May 30, 2019/

6.1.4. To approve procedures for determining the amount of fees of regulatory services to be provided to license holders;

6.1.5. To approve the integrated numbering plan;

6.1.6. To elaborate policy on universal service obligation and to monitor its implementation;

6.1.7. To ensure reliable, prompt and high quality communication services and to monitor the protection of correspondence confidentiality;

/This provision was amended by the Law dated on May 15, 2003/

6.1.8. To develop a policy for preparing of professional personnel on communications;

/This provision was amended by the Law dated on May 15, 2003/

6.1.9. To plan and implement technical, technological and organizational measures to implement policies aimed at developing and ensuring sustainable operation of state-owned backbone network, and to organize scientific and research activities;

/This provision was added by the Law dated on December 19, 2008/

/This provision was invalidated by the Law dated on May 30, 2019/

6.1.10. To approve strategic plan for expanding the backbone network and monitor its implementation;

/This provision was added by the Law dated on December 19, 2008/

/This provision was revised by the Law dated on May 30, 2019/

6.1.11. To conduct investments of the state-owned backbone network and to establish network operation contract with service providers;

/This provision was added by the Law dated on December 19, 2008/

/This provision was invalidated by the Law dated on May 30, 2019/

6.1.12. To accumulate assets of the universal service obligation fund, spend them in accordance with the purpose and report the implementation to the Prime Minister;

/This provision was added by the Law dated on December 19, 2008/

6.1.13. To provide professional and methodological assistance to the management of administrative and territorial units and relevant organizations in implementing the state policy on communications;

/This provision was added by the Law dated on December 19, 2008/

6.1.14. To approve following procedures related with information and communication technology:

/This provision was added by the Law dated on May 30, 2019/

6.1.14.a. Procedures for providing services by the organization in charge of state electronic database;

6.1.14.b. Procedures for uploading, updating, storing, creating history records, and using the electronic database of administrative organization;

6.1.14.c. Procedures for broadcasting services of radio and television to be provided by state to citizens;

6.1.14.d. Procedures for network interconnection.

6.1.15. The following policy issues shall be reflected in the document specified in Article 5.1.4 of this Law:

/This provision was added by the Law dated on May 30, 2019/

6.1.15.a. To provide knowledge and education to all on the use of products and services based on information and communication technology;

6.1.15.b. To ensure coherences of applications, projects and programmes of information and communication technology for cross-sector and other sectors;

6.1.15.c. To develop innovation and production of information and communication technology;

6.1.15.d. To protect intellectual property and copyright of information and communication technology products;

6.1.15.e. To ensure coordination between the activities of state organizations and researches and studies in the field of communication and information technology;

6.1.15.f. To create an optimal structure of backbone network and introduce new techniques and technologies;

6.1.15.g. Others.

6.1.16. To elaborate the programme specified in Article 5.1.4 of this Law, approve the implementation action plan, ensure its implementation and monitoring;

/This provision was added by the Law dated on May 30, 2019/

6.1.17. To monitor and evaluate the activities of state-owned and state joint legal entities operating in the field of information and communication technology, and to take measures to ensure the implementation;

/This provision was added by the Law dated on May 30, 2019/

6.1.18. Other powers specified in the legislation.

/This provision was amended by the Law dated on May 15, 2003/

/This provision was amended by the Law dated on December 19, 2008/

/This provision was amended by the Law dated on May 30, 2019/

6.2. The authorized organization shall consult with the State Administrative Organization in charge communication matters the appointment and dismissal of the management of state-owned and state joint legal entities operating in the field of information and communication technology;

/This provision was amended by the Law dated on January 27, 2005/

/This provision was amended by the Law dated on December 19, 2008/

/This provision was amended by the Law dated on May 30, 2019/

Article 6#zereg#1. Cross-sector activities in the field of information and communication technology

/This article was added by the Law dated on May 30, 2019/

6#zereg#1.1. Mongolia shall has unified policy and planning for information and communication technology.

6#zereg#1.2. Following organizations shall organize the introduction of information and communication technology-based products and services in cooperation with the State Administrative Organization in charge of communication matters:

6#zereg#1.2.1. The State Central Administrative Organization, in case of its absence, the State Administrative Organization in charge of the matters;

6#zereg#1.2.2. Non-governmental independent agency or other similar public legal organization;

6#zereg#1.2.3. Judicial General Council;

6#zereg#1.2.4. Prosecutor General's Office.

6#zereg#1.3. The State Central Administrative Organization or the State Administrative Organization shall obtain the opinion and suggestion of State Administrative Organization in charge of communication matters on the issues related to integrated policy and planning on information and communication technology to be decided by the Government;

6#zereg#1.4. The Government shall decide the policy and planning for cross-sector introducing of information and communication technology products and services based on the proposal of the State Administrative Organization in charge of communication matters;

6#zereg#1.5. The State Central Administrative Organization, relevant State Administrative Organization or local administrative

organization shall monitor and evaluate the implementation of introducing of information and communication technology products and services every two years and to submit the report to the State Administrative Organization in charge of communication matters within the first quarter of the year following the monitoring and evaluation.

6#zereg#1.6. The State Administrative Organization in charge of communication matters shall evaluate the introduction of information and communication technology based products and services every four years in accordance with rules and procures set forth in the Article 20.2 of the Law on Development Policy and Planning.

Article 7. Full powers of the Governors of all levels

7.1. The Governors of all levels shall exercise following powers on communications:

7.1.1. To implement measures to improve communication services in its territory in cooperation with relevant organizations;

7.1.2. To take measures to address streets, squares, buildings, apartments and yards of aimags, capital city, soums, districts, bags and khoroos;

/This provision was amended by the Law dated on May 15, 2003/

7.1.3. To organize activities to eliminate accidents and failures in the communication network due to sudden force majeure and emergency;

/This provision was amended by the Law dated on May 15, 2003/

7.1.4. To provide support and assistance on the initiatives to establish and use of other network of radio, television and communication;

/This provision was amended by the Law dated on May 15, 2003/

7.1.5. Other powers specified in the legislation.

/This provision was amended by the Law dated on May 15, 2003/

Article 8. The Communication Regulatory Commission

8.1. The Communications Regulatory Commission (hereinafter "Regulatory Commission"), responsible for creating conditions for economy efficient and fair competition in the communication market for all types of business entities and citizens, issuing licenses specified in law and making professional conclusions and decisions, shall run.

/This provision was amended by the Law dated on December 15, 2011/

8.2. The Regulatory Commission shall consist of a Chair and 6 non-vacant members.

8.3 Chair and members of the Regulatory Commission shall be appointed by the Prime Minister.

/This provision was amended by the Law dated on January 27, 2005 and December 19, 2008/

8.4. The term of office of Chair and members of the Regulatory Commission shall be six years. The first appointment of members of the Regulatory Commission shall be for two, four and six years and for further with term of six years.

8.5. Chair of the Regulatory Commission may be reappointed once.

8.6. A Mongolian citizen who has professional experiences of at least 10 years of which 3 years in managerial level shall be appointed as a Chair of the Regulatory Commission and a Mongolian citizen who has professional experiences of at least 5 years and meets following requirements shall be appointed as a member of the Regulatory Commission:

/This provision was amended by the Law dated on May 30, 2019/

8.6.1. Has higher education degree in economics, information and communication technology, legal and management, and high professionalism, work experience and management skills;

8.6.2. Chair and members of the Regulatory Commission shall not be a sole holder of 20 percent or more of common stock of the service provider or a person with affiliated interest with him/her.

8.7. The Regulatory Commission shall have the state communications inspector.

/This provision was revised by the Law dated on May 30, 2019/

8.8. The Regulatory Commission shall have a Secretariat.

8.9. The Regulatory Commission may have a local sub-commission consisting of non-vacant members.

8.10. The Regulatory Commission shall be financed by fees for radio frequency usage and regulatory services provided to license holders;

8.11. The Regulatory Commission shall report to the Government on the work implementation and budget utilization.

8.12. The Regulatory Commission shall have its financial report audited and published annually.

8.13. The Regulatory Commission may delegate some of its duties specified in the law to others on a contractual basis.

/This provision was added by the Law dated on July 01, 2014/

Article 9. Full powers of the Regulatory Commission

9.1. The Regulatory Commission shall exercise the following powers within the framework of the state policy on communications:

/This provision was amended by the Law dated on May 30, 2019/

9.1.1. To develop proposals on the state policy on communications and provide information to the competent authorities;

9.1.2. To issue, extend, amend, suspend, renew and revoke license, approve conditions and requirements of the license and relevant procedures, establish contracts and monitor the implementation;

/This provision was amended by the Law dated on December 15, 2011/

/This provision was revised by the Law dated on May 30, 2019/

9.1.3. To certify communication network and customer equipment, approve relevant conditions, requirements, normative documents and procedures, and monitor the implementation;

/This provision was revised by the Law dated on May 30, 2019/

9.1.4. To provide network interconnection, approve general conditions of contracts to be connected to the network and procedures for revenue distribution and monitor the implementation;

/This provision was amended by the Law dated on May 30, 2019/

9.1.5. To approve the methodology for defining tariffs for communication services, supervise and adopt tariffs for deserved monopoly and dominant services in the market;

/This provision was amended by the Law dated on May 30, 2019/

9.1.6. To approve procedures for creating conditions for fair competition in the communication market and monitor the implementation;

9.1.7. To ensure the implementation of universal service obligations;

9.1.8. To develop communication standards, have them approved by the competent authority, and monitor the implementation;

9.1.9. To develop and implement the integrated numbering plan;

9.1.10. To approve the conditions and requirements of radio, television and broadcasting services, and monitor the implementation;

9.1.11. To define the rate of regulatory service fees in accordance with the procedures specified in Article 6.1.4 of this Law;

9.1.12. To resolve disputes between license holders or between license holders and customers within the scope of its authority;

/This provision was amended by the Law dated on January 26, 2017/

9.1.13. To introduce, organize and implement the number portability service and approve regulatory procedures related to this service;

/This provision was added by the Law dated on July 01, 2014/

9.1.14. To approve procedures for registration and usage of domain name and monitor the implementation;

/This provision was added by the Law dated on May 30, 2019/

9.1.15. To approve procedures for registering production, operation and services of communications to be operated without license;

/This provision was added by the Law dated on May 30, 2019/

9.1.16. To approve the budget of the Regulatory Commission and annual work plan of its Secretariat;

/This provision was added by the Law dated on May 30, 2019/

9.1.17. Other powers specified in the legislation;

/This provision was amended by the Law dated on July 01, 2014/

/This provision was amended by the Law dated on May 30, 2019/

Article 10. /This provision was invalidated by the Law dated on December 19, 2008/

CHAPTER THREE

UNIVERSAL SERVICE OBLIGATION FUND

Article 11. Universal service obligation fund

11.1. To accumulate and spend the universal service obligation fund of post and telecommunications for the purpose to deliver essential communications services to remote area and unserved population, establish, expand and upgrade networks;

/This provision was amended by the Law dated on May 15, 2003/

11.2. The universal service obligation fund shall consist of following resources:

11.2.1. Donations, loans and grants;

11.2.2. Other assets;

11.3. The universal service obligation fund shall be spent only for the purpose specified in Article 11.1 of this Law.

CHAPTER FOUR

SPECIAL LICENSE

Article 12. Special License

12.1. The Regulatory Commission shall issue licenses to citizens and legal entities engaged in the activities specified in Articles 15.16.1-15.16.3 of the Law on Licensing of Business Activities.

/This provision was revised by the Law dated on May 30, 2019/

12.1.1 To provide services specified in Article 15.8.7 of the Law on Licensing of Business Activities;

/This provision was revised by the Law dated on May 15, 2003/

12.1.2. To use radio frequency and radio frequency band;

12.1.3. This provision was invalidated by the Law dated on May 15, 2003/

12.2. The license shall be issued for period up to 20 years.

12.3. Citizens and legal entities engaged in the production, operation and services of communications other than those specified in Article 12.1 of this Law shall be registered by the Regulatory Commission.

Article 13. Documents required to obtain a license

13.1. Citizens and legal entities shall submit the application for license to the Regulatory Commission together with the documents specified in the law.

13.2. The following documents shall be submitted to apply for license, in addition to the documents specified in the law:

13.2.1. Estimation and information on financial, economic and technical capacity, and supply of professional personnel;

13.2.2 Information on activities to be implemented /service coverage, location, technology and service tariff proposal/.

Article 14. Establishing contract with license holder and refusing to issue a license

14.1. In case of an issuance of license, the Regulatory Commission shall establish a contract with the license holder. The contract shall include the following:

14.1.1. Territory coverage and service accessibility;

14.1.2. Technological specifications communication line and network equipment;

14.1.3. Responsibilities and preventive measures in case of declaration of state of emergency or war and force majeure;

14.1.4. Conditions on interconnection;

14.1.5. Rights and responsibilities of the Regulatory Commission and license holder;

14.1.6. Others.

14.2. The Regulatory Commission shall refuse to issue a license on the following grounds:

14.2.1. There is no frequency band requested by the applicant;

14.2.2. The applicant is not provided with financial, economic, technical and professional capacity and technical equipment components to establish and operate communication network;

/This provision was amended by the Law dated on July 08, 2010/

14.2.3. It is considered that may harm public interests and national security;

14.3. In case of number of entities applied for license to provide services in same territory, the license shall be issued subject to competitive selection basis.

Article 15. Revocation of license

15.1. The Regulatory Commission shall revoke a license on the following grounds in addition to those specified in the Law on Licensing of Business Activities:

15.1.1. Violated the legislation on communications and failed to fulfill its obligations specified in the contract;

15.1.2. Disclosed confidentiality of communication and correspondence;

15.1.3. Not commenced the activity specified in the license with one year from the date of obtaining the license;

15.1.4. Conducted the activity not specified in the law and contract.

15.2. The Regulatory Commission shall not be liable for damages and loss caused by the revocation of a license on the grounds specified in Article 15.1 of this Law.

15.3. In case of not agreeing with the decision to revoke the license, the license holder is entitled to complaint to Court.

CHAPTER FIVE

COMMUNICATION NETWORK

Article 16. Types of communication network

16.1. A communication network consists of telecommunication, postal, radio, television and information networks (such as internet, computer and others).

16.2. A communication network is classified according to its purpose as public, internal and special use networks.

Article 17. Telecommunication network

17.1. A telecommunication network shall consist of lines, equipment and technical devices for transmitting, transferring and receiving of all types of information between customers, including signs, signals, texts, audio and video.

17.2. A telecommunication backbone network is the network for public use consisting of international, internal and local network facilities. The backbone network may be state-owned.

17.3. The owner of the telecommunication network shall set up the network through unified technical and technological management and without interruption.

17.4. The backbone network can be established and owned by state, all types of business entities and citizens.

Article 18. Postal network

18.1. Relations concerning to the postal network, its use and services shall be regulated by the law.

/This provision was revised by the Law dated on May 15, 2003/

Article 19. Radio and television network

19.1. A radio and television network consists of equipment and technical devices for transmitting, receiving and transferring of radio and television programmes.

19.2. A radio and television network shall be used on the basis of the contract of the organization preparing radio and television broadcasting programmes with the service provider.

Article 20. Communication network for special purpose

20.1. A communication network for special purpose may be established and used for the needs of organizations for defense, national security, disaster protection, crime combat and social order, and state and local administrations of Mongolia.

/This provision was amended by the Law dated on May 30, 2019/

20.2. A communication network for special purpose shall be under state protection.

20.3. Procedures for establishing and using the communication network for special purpose shall be determined by the Government.

20.4. Telecommunication channels and equipment in communication network for special purpose shall be used on the basis of the contract concluded with service provider.

20.5. The organization specified in Article 20.1 of this Law shall be responsible for the information confidentiality and protection of communication network for special purpose transmitted through the communication network.

Article 21. Communication network for internal purpose

21.1. A business entity or organization may establish and operate a communication network for internal purpose for its domestic use.

/This provision was revised by the Law dated on May 30, 2019/

21.2. Business entity or organization shall be prohibited to use the network specified in Article 21.1 of this Law for the purpose of profit. The Regulatory Commission shall approve procedures for regulating the communication network for internal purpose and monitor the implementation.

/This provision was revised by the Law dated on May 30, 2019/

Article 22. Connection to communication network

22.1. An owner of the communication network for special purpose or an entity having network for internal use or establishing a new network shall be responsible for additional lines and equipment to be installed at the point of demarcation between the networks when connecting to the network owned by others.

22.2. The service provider shall ensure the conditions to connect other networks to its network without hindrance considering the technical capabilities.

22.3. Interconnection between communication networks and demarcation point to connect to the network shall be determined by the Regulatory Commission.

/This provision was revised by the Law dated on May 30, 2019/

Article 23. Mobilization of communication network

23.1. In case of declaration of state of emergency or war and force majeure in Mongolia, communication network shall be mobilized in accordance with the legislation.

CHAPTER SIX

RIGHTS AND DUTIES OF SERVICE PROVIDER AND CUSTOMER

Article 24. Responsibilities of service provider and customer

24.1. The rights, duties and responsibilities of service providers and customers shall be regulated by contract in accordance with the Civil Code.

Article 25. Rights and duties of service provider

25.1. Service provider shall have the following rights:

25.1.1 To define tariffs for communication services in accordance with the methodology issued by the Regulatory Commission;

25.1.2. To suspend the service or terminate the contract in case of the customer failed to fulfill its obligation;

25.1.3. Other rights specified in the contract.

25.2. Service provider shall have the following duties:

25.2.1. To provide prompt services without discrimination to the customers in accordance with the license;

25.2.2. To comply with communication standards, technical conditions, requirements and normative documents, and use equipment certified in accordance with the law;

/This provision was revised by the Law dated on May 30, 2019/

25.2.3. To notify in prior the Regulatory Commission and customers to renew, expand, change the service purpose and suspend communication equipment;

25.2.4. To ensure and protect the confidentiality of all types of information transmitting through communication network;

25.2.5. In case of circumstances specified in Article 23.1 of this Law, to allow the use of communication network without hindrance in accordance with the legislation;

25.2.6. To not suspend communication services except as specified in the legislation and be liable in accordance with the Civil Code in case of damages and loss to customers;

25.2.7. To provide information required by the Regulatory Commission in a timely manner;

25.2.8. To connect to the communication network the authorized organization specified in Article 9.1.1 of the Law on Intelligence Activity in accordance with the procedures stated in the law and provide conditions and opportunities to use it for the purpose specified in the law;

/This provision was added by the Law dated on July 08, 2010/

25.2.9. To provide technical possibilities for customers to switch between telecommunication service providers keeping the phone number;

/This provision was added by the Law dated on July 08, 2010/

25.2.10. To pay fees for regulatory services;

/This provision was added by the Law dated on May 30, 2019/

25.2.11. To register customers by the registration number;

/This provision was added by the Law dated on May 30, 2019/

25.2.12. To deliver services to other service providers with same conditions;

/This provision was added by the Law dated on May 30, 2019/

25.2.13. Other duties stipulated by the law and contract.

/This provision was amended by the Law dated on July 08, 2010/

/This provision was added by the Law dated on July 01, 2014/

/This provision was added by the Law dated on May 30, 2019/

25.3. Authorized employee of the service provider shall have an unimpeded access to the communication lines and networks at the state-protected enterprises and organizations for repairing and maintenance.

25.4. /This provision was invalidated by the Law dated on May 15, 2003/

Article 26. Rights and duties of customer

26.1. Customer shall have the following rights:

26.1.1. To use certified equipment that meets communication standards and technical specifications and authorized software;

/This provision was amended by the Law dated on May 30, 2019/

26.1.2. To demand to repair damages to the communication network and to get information on this matter;

26.1.3. To claim compensation for damages in accordance with the Civil Code in case of termination of services or non-operation of equipment for the reasons other than those specified in Article 23.1 of this Law;

/This provision was amended by the Law dated on May 15, 2003/

26.1.4. Other rights specified in the contract.

26.2. Customer shall have the following duties:

26.2.1. To protect communication network and equipment in its own buildings and territories and inform the service provider about the damages occurred or may occur;

26.2.2. To pay fees for communication services within the period specified in the contract;

26.2.3. To use certified equipment that meets technical conditions and requirements provided by the service provider;

26.2.4. Other duties specified in the contract.

CHAPTER SEVEN

PROTECTION OF COMMUNICATION NETWORK

Article 27. Common responsibilities of business entities, organizations and citizens

27.1. Business entity, organization and citizen shall have the following duties concerning the protection of communication network:

27.1.1. To obtain permission from the service provider for exploration of engineering lines and networks, construction of buildings and establishment of lines and networks and if needs to transfer them to perform at own expenses;

27.1.2. /This provision was invalidated by the Law dated on May 15, 2003/

27.1.3. /This provision was invalidated by the Law dated on May 15, 2003/

27.1.4. To ensure regular operation of communication network for public service.

/This provision was added by the Law dated on May 30, 2019/

27.2. Communication network for public service may be located on a contractual basis at the privately owned and public lands and buildings and at the part of joint ownership of public apartments, and in that case, citizens, business entities and organizations shall issue, without hindrance, the permission to work on the communication equipment.

/This provision was added by the Law dated on May 30, 2019/

Article 28. Strip area

28.1. Communication protection strip area means land or area allocated by the Unified Land Territory of Mongolia for the communication network. The strip area shall have following measurements:

28.1.1. To have 10 meters from each side of aerial /overhead/ lines;

28.1.2. To have 5 meters from each side of cable /underground/ lines;

28.1.3. An area of microwaves spreading between the stations of radio-relay lines or by the transmission ground station of space communication satellite; and to have a diameter of 300 meters from each side of those stations;

28.1.4. A sanitary protection zone determined depending on the capacity of the station of radio and television broadcasting and equipment of microwave generating.

28.2. Matters related to the protection strip area where the communication network located shall be resolved by the state central and local administrative organizations within their respective powers.

Article 29. Monitoring on strip area

29.1. Communication protection strip area shall be under the control of the service provider.

29.2. A sign indicating the communication protection strip area shall be placed along the direction of the line.

29.3. The following activities shall be prohibited in the communication protection strip area:

29.3.1. Construction of buildings, gers and fences, and planting of trees;

29.3.2. Wasting of items that could damage the cables and spilling of corrosive chemicals;

29.3.3. Crossing of the aerial /overhead/ lines by a vehicle with over height load than allowed.

29.4. Prior permission shall be obtained from the service provider in case of carrying out works at the communication protection strip area.

29.5. The entity carried out works at the communication protection strip area shall implement the measures to rehabilitate and restore the environment at own expenses.

CHAPTER EIGHT

SUPERVISION AND LIABILITIES

Article 30. Monitoring on the operation, maintenance and service of communications

30.1. The state inspector shall monitor the operation, maintenance, production function and implementation of technical and technological procedures.

30.2. The state inspector shall exercise the following powers, in addition to those specified in the Law on State Supervision and Inspection:

30.2.1. To monitor the fulfillment of the legislation on communications and radio waves, issuance of licensing and its implementation;

30.2.2. To inspect the fulfillment of the technological procedures, determined standards, technical conditions and other requirements set forth in this Law for the operation, maintenance, production of communications;

30.2.3. To terminate the operation in case of the operation, maintenance, production of communications without a license and usage of radio frequency without registration.

30.3. The State Administrative Organization in charge of communication matters may have a state communication inspector.

/This provision was added by the Law dated on May 30, 2019/

30.4. A state inspector to work at the Regulatory Commission and the State Administrative Organization in charge of communication matters shall be entitled to the rights in accordance with Article 10.4 of the Law on State Supervision and Inspection.

/This provision was added by the Law dated on May 30, 2019/

Article 30#zereg#1. Audit of information and communication technology

/This article was added by the Law dated on May 30, 2019/

30#zereg#1.1. Information and communication technology audit shall be conducted by citizen and legal entity authorized by the State Administrative Organization in charge of communication matters.

30#zereg#1.2. The requirements for citizens and legal entities to conduct information and communication technology audit, procedures for authorization, and methods for conducting information and communication technology audit shall be approved by the Head of the State Administrative Organization in charge of communication matters.

30#zereg#1.3. The list of administrative organizations to be audited for information and communication technology shall be approved by the Government.

30#zereg#1.4. An organization included in the list specified in Article 30#zereg#1.3 of this Law shall conduct information and communication technology audit every two years, submit a report on the implementation of relevant conclusions and recommendations to the State Administrative Organization in charge of communication matters and keep the report open to the public.

30#zereg#1.5. "Information and communication technology audit" means an independent activity by a third party to determine and provide conclusions and recommendations on whether information and communication technology products, services and technical solutions used by the organization and projects and programmes implemented in the field of information and communication technology, provide support for fulfillment of the strategic objectives of the organization and meet the standards.

30#zereg#1.6. This article shall not apply to relations concerning the audit of the activities of the administrative organizations by the State Audit Organization.

Article 31. Settlement of disputes

31.1. In case of an existing arbitration agreement, the disputes between license holders or between license holder and customer shall be settled by arbitration.

31.2. Except as specified in Article 31.1 of this Law, the disputes between license holders or between license holder and customer shall be resolved by the Regulatory Commission and its sub-commission.

31.3. In case of not agreeing with the decision made by the authorized organization or official specified in Article 31.2 of this Law, the license holder and customer are entitled to complaint to court within 30 days after receiving the decision.

/This article was revised by the Law dated on January 26, 2017/

/This article was amended by the Law dated on May 30, 2019/

Article 32. Liabilities to be imposed for violation of law

32.1. In case of actions of an official violating this Law are not criminal nature, he/she shall be subject to liability specified in the Law on Civil Service of Mongolia.

32.2. Person or legal entity that violates this Law shall be subject to liability specified in the Criminal Code or Law on Violation.

/This article was amended by the Law dated on December 04, 2015/

Article 33. Compensation for damages

33.1. Damages caused to others due to the violation of the legislation on communications shall be compensated by the guilty person in accordance with the legislation.

CHAIRMAN OF STATE GREAT KHURAL OF MONGOLIA TUMUR-OCHIR.S