



LAW OF MONGOLIA

November 13, 1997

ON WATER, CLIMATE AND ENVIRONMENTAL MONITORING

CHAPTER ONE GENERAL PROVISIONS

Article 1. Purpose of the law

The purpose of this law is to regulate relations related to providing citizens, business entities and organizations with hydro-meteorological and environmental information.

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Article 2. Legislation on hydro-meteorological and environmental monitoring

Legislation on hydro-meteorological and environmental monitoring shall consist of the Constitution, this law and other legislative acts enacted in conformity with them.

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

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Article 3. Terms of the law

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

3.1.1. "Hydro-meteorological and environmental monitoring" means the process of making appropriate decisions based on the measurement and analysis of indicators of the natural state of the atmosphere, aquifer, fossil and biosphere in accordance with the established program;

3.1.2. "Climate resources" means natural capacity that can be used to meet human needs such as solar radiation, precipitation, air, soil moisture, heat supply, water availability, wind and water energy;

3.1.3. "Preliminary data" means information that has been scientifically based on predetermining the hydro-meteorological and environmental conditions for hours, days, months and seasons;

3.1.4. "Preventive information" means information that has been predetermined that water and meteorological phenomena, environmental pollution and radiation activities may cause significant damage to the population, environment and economy;

3.1.5. "Public needs information" means hydro-meteorological and environmental information disseminated through the mass media for the general needs of the population;

3.1.6. "Special needs information" means hydro-meteorological and environmental information issued by citizens, economic entities and organizations taking into account the specifics of certain economic sectors such as agriculture, road transport, energy and tourism.

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CHAPTER TWO RIGHTS, CITIZENS, BUSINESS ENTITIES AND ORGANIZATIONS

Article 4. Powers of the Government

The Government shall exercise the following powers with respect to hydro-meteorological and environmental monitoring:

4.1.1. To ensure conditions for full use of hydro-meteorological and environmental information and climate resources for social and economic development;

4.1.2. Establish a system for the use of hydro-meteorological and environmental information and for the prevention of hazards and serious environmental pollution;

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

4.1.3. Other powers provided by law.

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Article 5. Powers of the State Central Administrative Body

The state central administrative body in charge of hydro-meteorological and environmental monitoring (hereinafter referred to as the "state central administrative body") shall exercise the following powers with respect to hydro-meteorological and environmental monitoring:

5.1.1. Develop a state policy on water, climate and environmental monitoring and monitor its implementation;

5.1.2. To organize a state network for collecting, processing, analyzing and informing users of meteorological and environmental information and approve its program;

5.1.3 approve the types of special needs news, service tariffs, and establish procedures for transmitting and disseminating preventive news and public needs news on radio, television and other media in cooperation with relevant organizations;

5.1.4. To monitor weather conditions and activities that intentionally affect water and meteorological phenomena.

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Article 6. Powers of the state administrative body for hydro-meteorological and environmental monitoring

The state administrative body in charge of hydro-meteorological and environmental monitoring (hereinafter referred to as "state administrative organization") shall exercise the following powers with respect to water, meteorological and environmental monitoring:

6.1.1 provide professional and methodological guidance to the state water, meteorological and environmental monitoring network, establish, liquidate and transfer network units;

6.1.2. To provide prompt service to citizens, business entities and organizations with hydro-meteorological and environmental information, and to take measures to warn of disasters, disasters and environmental pollution;

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

6.1.3. To ensure the integrity of measurement and information standardization of water, meteorological and environmental monitoring;

6.1.4. If necessary, to take measures to influence weather conditions and meteorological phenomena;

6.1.5 regulate the use of international information channels for the collection and exchange of hydro-meteorological and environmental analysis data, and fulfill Mongolia's obligations under the Convention of the World Meteorological Organization;

6.1.6 issue professional opinions on water, climate and environmental conditions;

6.1.7. Coordinate research and experimental work aimed at introducing advanced techniques and technologies in hydro-meteorological and environmental monitoring.

6.2. Employees of the State Water, Meteorology and Environment Monitoring Network shall be appointed and dismissed by the head of the organization responsible for providing professional management in consultation with the respective level Governor.

/ This part was added by the law in 2 January 2003 /

6.2. The head of the aimag and capital city hydro-meteorological and environmental research center and laboratory and institute shall elect a citizen who meets the requirements set by the Civil Service Law in consultation with the respective level governor. The head of the relevant center, laboratory or institute shall be appointed and dismissed in consultation with the respective level Governor.

/ This part was amended according to the law dated June 27, 2018 /

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Article 7. Rights and responsibilities of aimag, capital city, soum, district, bag and khoroo governors

7.1 Governors of aimags, the capital city, soums and districts shall have the following rights and responsibilities with respect to hydro-meteorological and environmental monitoring:

7.1.1. To ensure the implementation of the legislation on hydro-meteorological and environmental monitoring, decisions of the Government and other authorized bodies;

7.1.2. To create conditions for uninterrupted operation of the state network unit for water, meteorology and environmental monitoring in its territory and to enforce the unified procedure for its operation;

7.1.3. To provide citizens, business entities and organizations of the territory with water, meteorological and environmental information, and to organize activities to prevent hazards and serious environmental pollution;

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

7.1.4. to estimate the damage caused by natural disasters and disasters in its territory, to make amendments to the damage prevention procedure, and to promptly inform the state administrative body about the damage caused;

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

~~7.1.5./ This provision was repealed by the law in 2 January 2003 /~~

7.2. Bag and khoroo governors shall have the following rights and responsibilities regarding hydro-meteorological and environmental monitoring:

7.2.1. To exercise the powers specified in 7.1.3 of this Law in its territory;

7.2.2. to promptly inform soum and district governors of natural disasters and disasters;

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

7.2.3. To take measures to protect the water, climate and environmental monitoring areas and equipment of its territory.

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Article 8. Citizens, business entities and organizations shall be engaged in providing information for special needs

8.1. Citizens, business entities and organizations may obtain services for special needs with the permission of the state administrative body.

Permission shall be granted under the following conditions:

8.2.1. To establish a system for collecting, processing and summarizing meteorological and environmental monitoring data, or to conclude a contract to be supplied by central and local hydro-meteorological and environmental research organizations;

8.2.2. Be provided with professional personnel.

8.3. If it is established that a licensed citizen, business entity or organization has conducted activities in violation of this law or a complaint from a consumer is grounded, the permit may be revoked.

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CHAPTER THREE WATER, CLIMATE AND ENVIRONMENTAL MONITORING

Article 9. State network of hydro-meteorological and environmental monitoring

9.1. The state network of hydro-meteorological and environmental monitoring (hereinafter referred to as "state network") shall perform hydro-meteorological and environmental monitoring, collect, process and analyze information, citizens, business entities, It consists of permanent stations, guards, institutes, centers and laboratories responsible for providing hydro-meteorological and environmental information to the organization.

9.2. The location and density of stations and guards of the state network shall be determined by the state central administrative body in accordance with international standards, taking into account the criteria for providing accurate information.

9.3. Stations and guards of the state network shall be state property.

9.4. Expenses for construction, equipment, dismantling, provision of tools and operation of state network stations and guards shall be financed from the state budget.

/ This part was amended according to the law dated January 2, 2003 /

9.5. If there is a need to establish a test station or guard in accordance with specific business needs and orders of research and other organizations, the State Administrative Body shall decide on the establishment and operation of the station in consultation with the local administrative body.

9.6 It is prohibited to dismantle or relocate state network stations and guards without the permission of the state administrative body.

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Article 10. Hydro-meteorological and environmental analysis

10.1. Hydro-meteorological and environmental analysis at the stations and guards of the state network shall be performed by a professional staff within a specified period of time at a specially selected area in accordance with the unified methodology and program.

10.2. The results of the analysis performed at the station and guard shall be transmitted within the control period set by the state administrative body.

10.3 The provisions of Articles 10.1 and 10.2 of this Law shall not apply to research stations and guards to be temporarily operated for research and training purposes.

10.4. In cases other than specified in 10.1 of this Law, citizens, business entities and organizations may be contracted to perform hydro-meteorological and environmental analysis.

10.5. The flight crew of a Mongolian civil aircraft shall determine the weather conditions along the runway during the flight and pass it to the hydro-meteorological and environmental monitoring organization.

10.6. The procedure for transmitting meteorological information from an aircraft shall be established jointly by the state administrative body and the state administrative body in charge of civil aviation.

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Article 11. Test site

Areas for hydro-meteorological and environmental analysis shall be specially selected, fenced or otherwise marked.

11.2 The location of the test site shall be reflected in the long-term plan of the settlement in order to maintain its ability to represent the environment of the test site.

11.3. A protection zone shall be established within 100 meters outside the test site and activities such as construction of buildings, planting of trees and construction of roads that may impede measurements and analysis in that zone shall be restricted.

11.4. It is prohibited to place non-purpose tools and other items in the test area.

11.5. If the road to the test site is blocked by the land owned by the land possessor or user, access to the test site shall be regulated by the Law on Land.

11.6. The provisions of Article 11.3 of this law shall not apply to microclimate and environmental analysis of settlements.

11.7 The ownership of the test site shall be regulated by the Law on Land.

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Article 12. Ensuring uniformity of measurements in hydro-meteorological and environmental monitoring

12.1. Measuring instruments and analytical methods that meet standards and technical requirements shall be used for hydro-meteorological and environmental monitoring.

12.2 Calibration of measuring instruments to be used for hydro-meteorological and environmental monitoring shall be performed and certified by a licensed professional organization in accordance with relevant procedures.

12.3. It is prohibited to use the results of water, meteorological and environmental monitoring carried out by non-certified measuring instruments for official information.

12.4. The state inspector shall monitor the implementation of laws, regulations and instructions on water meteorological and environmental monitoring, provision of citizens, business entities and organizations with hydro-meteorological and environmental information, and provision and use of disaster prevention information.

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

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CHAPTER FOUR WATER CLIMATE AND ENVIRONMENTAL INFORMATION

Article 13. Transmission of hydro-meteorological and environmental information

13.1. The communication network shall transmit the information of the station and guard of the state network without any obstacles during the control period.

13.2. Domestic and international communication channels shall be used to compile the data of the national network stations and guards and enter them into the international meteorological communication network and to receive the information required for Mongolia from this network. The channel can transmit other emergency news, such as earthquakes, chemical and nuclear accidents, and weather reports for civil aviation.

13.3. Citizens are obliged to immediately inform any hydro-meteorological and environmental research organization about the occurrence or occurrence of disasters and catastrophes that have a serious impact on the population and the environment. Expenses related to such information may be reimbursed to citizens in accordance with the assessment set by the Citizens' Representatives Khurals of aimags and the capital city.

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

13.4. Information on disasters and catastrophes shall be transmitted promptly by all means of communication, regardless of property differences.

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

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Article 14. Archives and databases of hydro-meteorological and environmental information

14.1. The archive of hydro-meteorological and environmental information shall be a specialized archive.

[/ This part was amended according to the law dated April 24, 2020 /](#)

14.2. Procedures for transferring hydro-meteorological and environmental analysis data to the archives and compiling a database shall be established in accordance with the legislation on archives and record keeping.

[/ This part was amended according to the law dated April 24, 2020 /](#)

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Article 15. Providing consumers with water, weather and environmental information

15.1. Preliminary information, disaster and disaster prevention information will be disseminated through mass media at the aimag, regional and national levels.

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

15.2. Preventive information shall be promptly announced to the public free of charge by special audio and video signals within 15 minutes after its receipt by radio, television and other media.

15.3 Special needs information shall be provided in accordance with the contract concluded with the customer in accordance with the customer's requirements.

15.4. When the insurance company pays insurance premiums to citizens, business entities and organizations, it shall be issued based on the certificate issued by the hydro-meteorological and environmental monitoring organization on the current hydro-meteorological and environmental conditions.

15.5. Only information verified and verified in accordance with the procedures established by a professional meteorological and environmental monitoring organization shall be used for the development of design and feasibility studies.

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CHAPTER FIVE MISCELLANEOUS

Article 16. Liability for violators

16.1. If the actions of an official violating this Law are not of a criminal nature, he / she shall be subject to liability specified in the Civil Service Law.

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

/ This article was amended according to the law dated December 04, 2015 /

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Article 17. ~~Dispute Resolution~~

~~If a citizen, business entity or organization does not agree with the decision of the state inspector, it shall submit its complaint to the general inspector. In case of disagreement with the decision of the Inspector General, the dispute shall be resolved by the court.~~

/ This article was repealed by the law in 4 December 2015 /

Ts. Elbegdorj, Deputy Speaker of the State Great Hural of Mongolia

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