



LAW OF MONGOLIA

5 July 2013

Government house, Ulaanbaatar city

POLICE LAW OF MONGOLIA /Revised version/

CHAPTER ONE GENERAL PROVISIONS

Article 1. The purpose of law

1.1. The purpose of this Law is to define the legal basis of the police service, legal environment, activities and structure of the Mongolian Police which is responsible to serve with the law enforcement and public safety to citizens.

Article 2. Legislation concerning the Police

2.1. Legislation concerning the Police comprises of the Constitution and Legislation concerning the law enforcement, this Law and other pieces of legislation enacted in compliance with them.

2.2. If the international treaties to which Mongolia is a party provides otherwise than this Law, the international treaties shall prevail.

Article 3. Police service

3.1. The Police organization is a law enforcement agency charged with the duties of combating crime, maintenance of public order and public security.

Article 4. Police activities and principles of administration

4.1. The fundamental principles of the activities of Police shall be high respect for the Constitution, legislation concerning law enforcement, human rights and freedom, transparency, maintain confidentiality, the confidence of the public, support of civilians, to cooperate with governmental and nongovernmental organizations, local self-governing bodies and citizens, to use advances of scientific, new techniques and technologies and information technologies and integrated centralized management.

4.2. Integrated centralized management principles will be implemented as follows:

4.2.1. Lower stage police units and officers fulfill the higher police units and senior police officers' orders and decisions, and those orders and decisions are consistent with the law;

4.2.2. Lower stage police units and officers are responsible to reporting to the higher police units and senior police officers;

4.2.3. Higher stage police units and senior police officers change or decline the illegal and unreasonable decisions of the lower police units and officers;

4.2.4. Higher stage police units solve complaints regarding the activities and decisions of lower stage police units;

4.2.5. Lower ranking police officers do fulfill the legal orders and tasks of higher ranking police officers in accordance with law and refuse to fulfill the illegal orders and tasks.

4.3. It is prohibited to make Police and police officers perform otherwise orders and functions provided by law.

Article 5. Police system

5.1. Police consists of Headquarter of National Police Agency, territorial police units and attached office.

5.2. Maximum number of personnel in Headquarter of NPA and the organizational structure of it shall be determined in accordance with the Law on the Legal Status of a Government agency.

5.3. The National Police Agency consists of combating crime, maintenance of public safety, public security and supporting organizational structures and units.

5.4. The unit of internal control and security will be established in the Headquarter despite of the units referred to in Article 5.3 of this law.

5.5. The supporting unit of the central police organization may include within it a laboratory which identifies and analyses the quality of training and official weapons, equipments, special techniques, and units which are responsible to assist with engineering, service, production, finance and logistics to help in implementing the functions by this Law.

/This section was amended by Law dated 16 January 2014/

5.6. The National Police Agency may establish special and tactical units in territorial units which are responsible to prevent a crime, to secure criminals, and forensic units to combat certain types of crimes.

5.7. Member of governments who are in charge of Justice and Financial issue will jointly determine the appropriate financial costs according to the organizational structure, human resources, vehicles, number of special technique supply, their durability and treadmill normative standards considering the territorial size, population density, geographic location, road conditions, the crimes and the number of violations.

Article 6. Territorial police unit

6.1. The territorial police units shall consist of its departments, divisions and sections.

6.2. The territorial police units and specific territorial police departments shall have section or officer which is responsible for combating crime, maintenance of public security and safety.

6.3. The Commissioner General of National Police Agency will appoint and release the chief of a territorial police unit.

6.4. The Government of Mongolia may establish a territorial police unit as a city police unit, considering the population density.

6.5. The Governor of a city shall appoint a chief of a city police unit of the Art. 6.4 Of this Law, consulting with the Commissioner General of National Police Agency.

Article 7. The Police flag and symbol

7.1. The National Police Agency of Mongolia shall have a flag. The model and procedure to use the Police flag and symbol shall be established by the Government member who is in charge of Justice.

7.2. It is prohibited to use the same model of the Police flag and symbol for other organizations.

7.3. The Police shall use the seal, stamp and official printed letterhead which are set in accordance with the procedure.

Article 8. Police oath

8.1. Every citizen of Mongolia entering the police service shall take the following oath:

“I, a citizen of Mongolia, swear to highly respect and abide the Constitution and other Laws, truly and fairly strive for the combat of crime and maintenance of public security and public safety, in front of my citizens.

I swear to properly learn the skills of the law enforcement service, strictly observe an officer’s discipline and ethics, will not disclose special knowledge and information to no one which will acquire during my career in Police.

If I breach this oath, I shall be subject to retribution under State law.”

8.2. The ceremonial procedure for taking the police oath shall be established by the member of Government who is in charge of Justice.

CHAPTER TWO FUNCTIONS OF THE POLICE

Article 9. Combat of crime

9.1. Combating crime is, conducting law enforcement service in order to preventing crimes and investigating.

9.2. The Police will have the following prescribed rights within the functions of combating crimes:

9.2.1. Receive, register, acquire the information about preparing to commit a crime or is about to take on, and will take necessary measures as soon to prevent or not to increase any damages that may occur, detect crimes;

9.2.2. As soon as acquires an information of a commitment of a crime, administrative infringements, will protect the crime scene, make an inspection, detect and collect evidences, detect, investigate and arrest criminals;

9.2.3. Police officer takes control and operates patrol in public places himself/herself or using techniques;

9.2.4. conduct an undercover investigation;

9.2.5. Keeping and referencing an integrated registration of crimes, administrative infringements, and sentenced people.

9.3. In accordance of conducting an undercover investigation of Art. 9.2.4 Of this Law, will use necessary special techniques, undercover organizations, agents and informants.

Article 10. Maintenance of public safety

10.1. The Police shall maintain public safety in according to related legislation, public rules and regulations.

10.2. The Police shall deal with administrative infringements which are assigned within their jurisdiction.

Article 11. Maintenance of public security

11.1. Police will implement following competences within its functions in order to maintain the public security.

11.1.1. To protect the Diplomatic mission department, State special facilities and maintain the temporary protection for some objects if it needs and deliver to oversee passenger and baggage on the transportation.

11.1.2. Enforce quarantine in case of natural disaster, occupational accident conflagration, human and livestock's infectious diseases.

11.1.3. Maintain order regulations arise from public disorder, terrorist attack and during the state emergency or war.

11.1.4. Perform duty under the provisions of State Special protection law.

11.1.5. Protect victims and witnesses according to the witness and victim protection law.

11.1.6. Provide protection at public events.

11.1.7. Execute forced disperse of demonstrations and gatherings by the decisions of authorized officials.

Article 12. Function of inspection of Police

12.1. Police shall carry out the following administrative control functions:

12.1.1. To inspect the implementation of regulations on the individuals and legal entity to own firearms, use of firearms, manufacturing ammunition, purchasing, sales, and transportation.

12.1.2. To assist to resolve and to research issues of children /orphans/ are lost control of parents or guardians.

12.1.3. To inspect fulfillment of operation procedure of Private protection and contracted security.

12.1.4. To record lost property, cash and animal and to make restitution to proprietor or store them if it is essential and to resolve transferring issues to the State or local authority in case of unknown or undetermined legal proprietor.

12.1.5. To record census within traffic accident, damages are caused with traffic accidents and violations to traffic rules.

12.1.6. To undertake search for missing person or property according to the given mission by authorized official.

12.1.7. To implement the other inspection control provisions in law.

12.2. Police will implement State inspection law and related competences in other law while on the performance of indicated section in part 1 Article 12.

Article 13. Function of Headquarter of the National Police Agency

13.1. The Headquarter shall engage Law on legal status of the Governmental agencies and centralize, organize police work on nationwide scale in combating crime, maintain public security and public safety and provide subordinated services with professional management.

13.2. Police monitors the action of police officers, fight and eliminate causes of and conditions affecting these officers' commit a crime, violation against law, immorality and ensure internal security in Police.

13.3. To utilize the scientific findings and modern technology, information network, data transmission and monitoring systems including CCTV in Police work for preventing crimes.

13.4. Combating crime unit will implement and coordinate police work within the following functions in addition set forth in Article 13.1 of this Law.

13.4.1. To draft, develop and ensure implementation on regulation, guideline related action of traces, evidence detection, collection and identification.

13.4.2. To develop policy, strategy, implementation and analysis for investigation.

13.4.3. To establish database, use, analyze and make conclusion for the set forth in Article 29.1 of this Law.

13.4.4. To receive and register complaint and information related to violations and crime, develop information and to provide required information to the entire organization of Police.

13.4.5. To perform with the obligations in front of the International Police organization (Interpol) and to cooperate with foreign police agencies as well as provide with received information to the entire police agency.

13.4.6. According to the set forth in Article 12.1.1, 12.1.7 of this Law, to ensure the fulfillment of obligation in this legislation.

13.5. Maintaining public safety unit will implement and coordinate the activities of police within the following function in addition to the set forth in Article 13.1 of this Law.

13.5.1. To organize and integrate the community based police action policy and methods of police.

13.5.2. To monitor thorough the equipment of record, image and video, it is purpose to enforce public rules established by legislation and authorized organization

13.5.3. To draft and develop prevention and patrol function standard, strategy of patrolling, it is standard, regulation and guideline as well as ensure the implementation on them.

13.5.4. To draft and develop regulation and guideline related to the resolving conflicts as well as ensure the implementation on them.

13.5.5. To provide with professional management for the prevention of crime to the local administration organization and nongovernmental organization.

13.5.6. To ensure the implementation of the liability of set forth in Article 12.1.2, 12.1.4-12.1.6 of this Law.

13.6. Compilation of information center will exist in the structure of public safety unit processing, collating, disseminating and reevaluating the information, distributing from any source of information.

13.7. Public security unit will implement and coordinate the police work within the following function in addition to the set forth in Article 13.1 of this Law.

13.7.1. To control Detention Lodging as well as set forth in Article 11.1 of this Law and to draft, develop implementation of these policy, methodology, operational strategy, standard, regulation and guideline and ensure the implementation.

13.7.2. To organize officers to be involved in international peacekeeping operation.

13.7.3. To monitor the implementation of the obligation specified in Article 12.1.3 of this Law.

13.8. Internal control and security unit within the functions specified in Article 13.2 of this Law, of officers and other employees in the state, and control privacy protection and violation of their laws, crime and offense prevention, detection and analysis and police officers, senior complaints investigation and resolution through, provide officers with safety.

13.9. Internal control-security unit carry out competences and set forth in applicable laws in addition to specified in Article 13.8 of this Law.

13.10. Appointment, shift and releasing officer of the Internal control and security unit is prohibited without any notification to the direct chief of this unit.

13.11. The Headquarter of the National Police Agency in charge of police operation but police headquarters will take preventive and stop action for the violation to legislation, police discipline, ethics and human right abuses through the control on duty officer under the authority.

Article 14. Function of local police

14.1. Local police shall carry out the following functions.

14.1.1. To perform the duty of Police within their responsible territory;

14.1.2. Report to the Headquarter of the National Police Agency, belonging to Council of civil and residents;

- 14.1.3. To ensure constituency and managing to police work;
- 14.1.4. To assist and support in all aspects on performance of Investigation office and other police organizations;
- 14.1.5. To organize to implement the relevant action standard, regulation, recommendation of police;
- 14.1.6. To ensure the safety of organization and officers and protect their legitimate interests;
- 14.1.7. Support for actions of other law enforcement organization.

14.2. Chief of the local police report on it activities to the Head of the aimag and capital Citizens' Assembly and residents as well as the police officer is in charge of reporting its activities to the territorial citizens.

Article 15. Training center of Police

15.1. Training center exist in charge of training, preparing police officer, as a constituent of the school of law enforcing its referred to law on the legal status of Law enforcement officer.

15.2. Training center can be settled at the urban and rural areas to train the police officer with the professional training, retraining and official school.

15.3. Center its indicated Article 15.2 of this Law organize the training with tuition fees of firearms possession and usage for the citizens.

15.4. Specified in Article 15.3 of this Law of the tuition amount shall be determined by the cabinet member in charge of the legal and financial Tuition amount.

Article 16. Research center

16.1. Establish a data base according to below mentioned subjects under control of police force, perform scientific research work and incorporate with provided proposals:

16.1.1. Develop and incorporate duty standards such as procedures and rules of a police service. Raise a fund to associate with law enforcement and build analysis.

16.1.2. Update the tactics of solving crimes by analyzing crime scene, tracing, proving and consolidate.

16.1.3. To prevent road accidents, juvenile related crimes from taking place.

16.1.4. Other directions given by General Commissioner of the National Police Agency.

16.2. Police service research facility procedure, man power structure will be determined by General Commissioner of the National Police Agency.

Article 17. Police service location

17.1. As mentioned in Article 6.2 of this Law, Chief of police will determine the location of police department, station substation and training facility and laboratories, for the designated territories for the police stations.

17.2. All police service building structure standards shall be determined by the central police organization.

CHAPTER THREE

ADMINISTRATION OF THE POLICE ORGANIZATION AND ITS POWERS

Article 18. Administration of the Police Organization

18.1. The General Commissioner of the National Police Agency shall be appointed and discharged by the Government of Mongolia based on the proposal made by the government member responsible for justice.

18.2. The National Police Agency shall have a First Deputy Commissioner in charge of suppressing crime, ensuring public safety and public security and a Deputy Commissioner in charge of providing support.

18.3. Head of the unit in charge of Internal Control and Security shall be a Deputy Commissioner of the National Police Agency.

18.4. The Government member responsible for Justice shall appoint and discharge the First deputy and Deputy Commissioners mentioned in Articles 18.2 and 18.3 of this Law.

18.5. A supernumerary council will operate beside the General Commissioner of the National Police Agency to advise him/her on issues attributed to his/her duties. The General Commissioner of the National Police Agency shall approve the Rules of this council.

Article 19. Governing of the Police Organization by the Government, Municipal Authority and the Governor

19.1. The Government shall constitute the standard operating condition of the police organization in regard to financial, material and technical supply.

19.2. Development program of the police organization and the list of critical infrastructures that should be under the protection of the police shall be approved by the Government.

19.3. Government member responsible for justice shall supervise the coordination, analysis and evaluation of activities of the police organization and its administration.

19.4. General Commissioner of the National Police Agency shall administer and organize the activities of the police organization at national level and for their results he/she will be held accountable to the government member responsible for justice and the Chief of the territorial police shall be held accountable to the General Commissioner of the National Police Agency for their activities.

19.5. The Government member responsible for justice shall establish the standard norms of the law enforcement activities of the police organization in coordination with legislations and activities of other law enforcement authorities.

19.6. Governors of Provinces and of the Capital city, within the framework of their given rights by law, may establish a common regulation within his/her jurisdiction and charge the police organization responsible for that certain territory with duties to ensure its implementation, within the framework of their legal obligation.

19.7. The Government and the municipal authority shall execute full powers of administration of the police organization by the Governor, which are prescribed in the present Act and other legislations.

19.8. The police organization's procedures on – reporting to the Civil Council and residents in conformity with Article 14.1 of this Law, of the present act – shall be approved by the Government member responsible for justice.

Article 20. Powers of the General Commissioner

20.1. The General Commissioner shall be vested the following powers other than those common powers, vested to him/her, which are prescribed in Article 8.3 of this Law On The Legal Status of a Government Agencies.

20.1.1. To integrate and organize activities of the police organization at national level and provide professional leadership;

20.1.2. To ensure the implementation of legislations related to the activities of the police organization;

20.1.3. To approve – in conformity with the present Act and other legislations – the internal rules of the police organization; rules of the police camp; patrol and guard; other rules and procedures that should be abided in the activities of the service;

20.1.4. To provide the activities of suppressing crime and offences with management and orderliness;

20.1.5. To establish the jurisdiction and duties and obligations of the police organization and units who will investigate crimes and violations;

20.1.6. Make decisions on switching to and aborting from a state of high alert;

20.1.7. To represent the police organization and communicate with internal and foreign organizations;

20.1.8. To develop and implement policies on police weaponry, technology, special tools, clothing and other supplies;

20.1.9. To protect and ensure the security, rights and legal interests of the police organization its officers and employees;

20.1.10. To develop and implement policies and strategies on ensuring public security, public safety and combating of crime;

20.1.11. To develop policy on human resources and take actions to train officers and employees and improve their skills;

20.1.12. To settle the issues of awarding, demoting and taking away of ranks associated to official positions;

20.1.13. In necessary occasions, to provide information and make proposals to the National Security Council of Mongolia on issues related to ensuring public security, public safety and combating crime;

20.1.14. To organize the effort of introducing scientific and contemporary technical, technological and information system accomplishments to the activities of the police organization;

20.1.15. To grant police officers with the degree of investigator;

20.1.16. Other powers prescribed in law.

20.2. Unit of the organizational structure prescribed in Article 5.3 and 5.4 of the present Act and duties and organizational structure of agencies and services prescribed in Article 6 of the present Act shall be established by the head of the central police organization.

20.3. The General Commissioner of the National Police Agency may transfer its specific full powers such as appointing and discharging of officers and employees; awarding, demoting, taking away of police ranks; awarding disciplinary punishments; representing the police organization; making decisions on allocating budgets and finances; to the official prescribed in Article 18.2 of this Law and this will not serve as an justification to release him/her from accountability.

CHAPTER FOUR SUPPORT TO THE ACTIVITIES OF THE POLICE ORGANIZATION AND OTHER CIVIL SUPERVISION

Article 21. Civil Council

21.1. Supernumerary council, composed of 5 to 7 representatives of the citizens, with duties of carrying out public supervision on the activities of the police organization shall operate beside the Citizens' Representative Khural of provinces and of the Capital City.

21.2. The Governor will not administer or supervise the activities of the Civil Council but has the duty to ensure its independency.

21.3. A Mongolian citizen who meets the requirements prescribed in Article 21.4 of the present Act; residing in that certain territory in the last five years; has a record of residence; shall be appointed by the Citizens' Representative Khural of province and of the Capital City for a term of three years.

21.4. Member of the Civil Council shall be a Mongolian citizen who has not been working as a police, a prosecutor or judge for the last five years and does not have an interest conflict.

21.5. The Civil Council must be independent and has the duties to provide support and oversee the activities of the police organization.

21.6. The Civil Council shall have the following rights:

21.6.1. To hear the police organization's draft budget, spending, activities and financial report;

21.6.2. To inspect the implementation of introducing scientific findings and contemporary techniques, technologies and information systems to the training and crime combating activities of police officers;

21.6.3. To inspect police organization's work on receiving and registering complaints and information about crimes and violations and to conduct analysis on information related to them;

21.6.4. To conduct analysis on the ethics regulation of the police officer;

21.6.5. To develop proposals about the activities to be implemented by the Governor in order to prevent from crimes and violations;

21.7. Within the framework of its full powers the Civil Council will forward, to the Government member responsible for justice and the heads of the Citizens' Representative Khural and of the National Police Agency, its proposals and recommendations.

21.8. Head of the Civil Council shall be elected from among its members by secret ballot of the majority for a one year term.

21.9. Budget of the Civil Council and rewards for the members will be financed from the budget of the province and of the Capital City.

21.10. The Government member responsible for justice shall approve the rules of the Civil Council in conformity with the present Act and other legislations.

Article 22. Matters Forbidden to the Civil Council

22.1. It is forbidden for the Civil Council to undertake the following activities:

22.1.1. To be involved in police investigations in any kind of way;

22.1.2. To conduct political activities;

Article 23. Other Supervisions on the Activities of the Police Organization

23.1. The State Great Khural and the Government of Mongolia, municipal Citizens' Representative Khural and their Chairmen, Governors and the state monitoring service shall supervise the activities of the police organizations only on the issues specifically empowered to them by Law.

23.2. Inspecting of police investigation activity shall be regulated by relevant laws.

23.3. A citizen or an official shall have the right to lodge a complaint to the internal control and security unit, prosecutor and to the court if he/she considers that his/her rights, freedom and lawful interests have been violated due to wrongful actions of the police personnel.

23.4. The police organization, in conformity with established procedures, is obliged to provide information about its decisions and actions if a citizen or governmental and non-governmental organization considers that their rights have been violated during the process of a police operation and lodged their request.

23.5 Arresting a citizen or putting him/ her into custody or awarding him/her with an administrative punishment is proved to be baseless, by the decision of a competent authority, after the police organization have made an announcement about it through the media, then the police organization is obliged to take rectifying actions through the media within 10 days.

23.6 The police organization will ask for forgiveness and restore violated rights if they have baselessly violated human rights and violations and the Government shall recover the damage caused. When recovering the damage, the perpetrator shall be made to pay compensation for all of the expenses.

SECTION FIVE COMMUNITY POLICE OPERATION

Article 24 Community Police Officer

24.1 Municipal authority shall employ a community police officer for public safety and prevention of crime.

24.2 Civil council shall determine the number of police officer every year on the basis of proposals submitted by Governor of provinces and state consultation with the civil council and police authorities.

24.3 Police organization shall appoint and contract with citizen who reached the age of 20 with voluntary basis on decision proposal submitted by the Governor. Within the contract both sides must negotiate and specify the grounds for termination of contract, reward and obligation of the parties.

24.4 The General Commissioner of the National Police Agency shall approve rules and requirements of community police officers.

24.5 Community police officer on duty shall respect human rights, freedom and adhere Mongolian constitutions, present rules and comply obligations specified in the contract only.

24.6 Community police officers have the rights to check documents, protect the evidence, establish whereabouts, necessary to protect and detain the perpetrator and deliver him/her to police organization.

24.7 Community police officer bears a responsibility to report promptly regard crime activities to the police department, on violation to the relevant government organization. Community police officer on duty can be provided with communication and protective special equipment.

24.8 Citizens and legal bodies must comply the legal requirements set from community police officer according to the legal rights stated in this Law and other related rights.

24.9 Community police officer's identity, and safety clothing, special tools, encouragement, and training costs related to the respective governors financed in accordance with the laws and regulations on the prevention of crime.

24.10 Community police officer have complied with its obligations in connection with offensive, threatening, damage to other, more legitimate demands intentionally defaulted, protested person shall be subject to penalties under the law.

24.11 Community police officers are responsible for the following duties:

24.11.1 violation penalties prescribed by the Law.

24.11.2 explain to citizens about Law and legislation.

24.11.3 to participate in the work organized by legal entity and law enforcement concerning public security.

24.12 Police organization shall be responsible for training community police officer.

24.13 The General Commissioner of the National Police Agency shall approve special clothes sample for labor safety and user guidance in accordance with the Article 24.9 of this Law.

Article 25 Co-operation with citizen and legal entity

25.1 Police Organization will provide leadership and co-operate with Municipal authority for taking appropriate measures to prevent crime and violation within the municipal provinces.

25.2 Police Organization shall rely on support and co-operation of non governmental organization, government organization, legal entity and citizen for organizing prevention of crime and violations.

25.3 Citizen and legal entity could support and co-operate with Police organization and personnel for fulfilling its duties.

25.4 The Police organization has the right to inquire from its' citizens and legal entities about possible motives for imminent crimes and violations. The Police organization has the right to check into such motives and may request official termination of all activities related to suspected motives. The police department may check for compliance from related parties and obtain all necessary documents for free.

25.5 When police organization, police officer addressed to citizen and legal entity, they have a duty to take appropriate measures and reply on agreed period of time.

25.6 Police organization shall examine the feedback received from citizen about its activities and co-operate with civil organization to make an analysis annually.

25.7 Police organization will co-operate with appointed individual who participated in certain training and passed, designated from media organization to interview and report about police activities.

25.8 In order to protect the legitimate interest of the organization, human rights and freedom from legal entity and citizen other rights to acquire information are prohibited from public In accordance with Article 25.7 of this Law.

Article 26 Duty and support of citizens, organizations and officials

26.1 Citizens, organizations and officials are obliged to show identification to Police officers without interfering his/her duty.

26.2 Police Organization shall be supported by civilians, organizations and officials for the following:

26.2.1 Take appropriate measures to prevent crime and violations.

26.2.2 To be involved in activities implemented by Police Organization for public safety, combating crime and public security.

26.2.3 To report Police Organization about person who is preparing to commit a crime, or committed crime and violations.

26.2.4 To obey lawful order of police officer concerning public safety, combating crime and public security.

26.3 Citizens who are involved in activities described in the Article 26.2.2 of this Law, can be awarded in accordance with laws and legislation.

26.4 Citizens, organizations, community could voluntarily support Police Organization in the field of preventing crime and violation in accordance with laws and legislation.

26.5 Citizens' Representative Khural and Governor will provide in-depth support for the activities combating crime of the Police Organization

SECTION SIX TO SERVE IMMEDIATE AND SAFETY ACTIVITIES OF THE POLICE ORGANIZATION

Article 27 To serve immediate and safety activities of the Police organization

27.1 Police officer on duty shall have the following rights:

27.1.1 To summon and use vehicle for going to place which public disorder occurred, other sudden accident occurred, crime, industrial accident happened, deliver individual who needs immediate medical treatment to hospital, to pursue perpetrator and deliver him/her to police organization.

27.1.2 To use communication device in order to disseminate public about immediate information.

27.1.3 To use flash lights and sirens in vehicles.

27.1.4 Police officers who are in uniform, travel free of charge on public transportations /except taxi/.

27.1.5 To be served without any delay on buses in order to arrest the perpetrator and instant check information concerning criminal offence.

27.2. Diplomatic representative, tow truck and other vehicles that fulfilling its duty, equipped with flashing light and siren cannot be summoned in accordance with Article 27.1.1 of this Law.

27.3 Operations in accordance with Article 27.1.1, 27.1.2 of this Law, all expenses will be covered by the Police Organization.

27.4. Police officers could be contracted to acquire and use vehicle, motorcycle, horse and camel for official or private purposes. Use flashing light and sirens for vehicle or motorcycle for official or private purposes.

Article 28 Police officer duty belt

28.1 Police officer will be provided by duty belt including baton, stun gun, pepper spray, tear gas, flashlight, handcuff and radio, and shall use them in accordance with related laws and legislations.

28.2 Police officer will be provided by seasonal uniform, knife, bulletproof vest or light reflective vest and depending on their duty and capacity of the duty belt, other things will be provided.

28.3 Police officer who is responsible for public safety, combating crime and public security has a right to carry a firearm.

28.4 Police officer who is working off his/her duty with casual clothes has a right to use stun gun, tear gas, pepper spray for prevention of his/her or others health.

28.5 The General Commissioner of the National Police Agency shall approve the registration, retention and protection of firearms.

Article 29. Keeping statistical register and creating information network, database for using in its activities.

29.1 The Police organization shall keep the following statistical register, create information network, database for using in its activities of:

29.1.1 the suspected person of a crime and being under investigation.

29.1.2 the convicted person.

29.1.3 the person taken compulsory medical measures.

29.1.4 the rehabilitated people of his/her criminal case has been dismissed.

29.1.5 the people exempted from criminal liability, released from a sentence, and deferred a sentence.

29.1.6 the people and legal entity is not fulfilling its obligations for raising children, and adversely affecting the child's education, and ill-treating to the children.

29.1.7 the people whose case has been resolved in accordance with the statement about pardons without no judgment.

29.1.8 the victims of crime.

29.1.9 the offenders.

29.1.10 the persons sought.

29.1.11 the vehicle owner.

29.1.12 the people having driver's license;

29.1.13 the incapable persons of receiving help and providing information on themselves due to health and aged;

29.1.14 the people to engage in contractors and private security;

29.1.15 the people being under prevention control of crime and conflict;

29.1.16 the people being under state special protection;

29.1.17 the owner of a firearm;

29.1.18 the persons deported from Mongolian territory;

29.1.19 the cases police officers used of firearms;

29.1.20 fingerprints, bullet, cartridges, and genetic information;

29.1.21 other.

29.2. The Police office shall use the information in the databases for the purposes which are specified in this Law, and have responsible for ensuring the security of information;

29.3. The information in the database can be provided at the request of the law enforcement organizations of foreign countries and international police agencies in accordance with the international treaty to which Mongolia is a party.

29.4. The Police office is obliged not to disclose of the goal requested for information and the provided information in accordance with Article 29.3 of this Law to others.

29.5. The procedure to collect, inquire, assessing of science, use, transfer, receipt, distribution, evaluate and reference of the information to the center having duty for processing and integrating data and in the database referred to in Article 29.1 of this Law shall be approved by Government member in charge of legal affairs.

**CHAPTER SEVEN
FUNDING OF THE POLICE**

Article 30. The budget of the police

30.1 The Police budget shall be funded from the state budget by including in it, and the budget shall meet the organization's requirements for conducting its activities promptly and effectively.

30.2 Under the requirements set forth in Article 30.1 of this Law, the costs of food and economic supply, training facility, training, preparation, communications, activities of information technology, research, protection, and special equipment, safety clothing, costs of the techniques shall be financed from the state budget by including those in it.

Article 31. Financing from local budget

31.1 In order to create proper condition to implement the function for public safety, the Citizens' Representatives Khural and the Governors shall finance to the police offices in charge of certain territory and its officers from local budget by reflecting the costs of providing housing, food, transportation and communication facilities and taking measures to support appointed officers and their family members.

Article 32. Police Development Fund

32.1 The National Police Agency entity shall have the Police Development Fund in order to increase the capacity of its officials, solve social issues of them and strengthen the material base of the police organization.

32.2 The relations related to manage the Police Development Fund shall be regulated by Law of special fund of the government.

Article 33. Rights and obligations of the police officers

33.1 The police officers shall perform common rights and obligations reflected in the Law of legal status of law enforcement officials.

33.2 The police officers shall have the powers reflected in the relevant laws while performing the duties of combating crime, maintaining public safety and public security.

33.3 If the police officer has committed any offence and crime and is being under investigation, he/she has the obligation to notify about it to the direct supervising official.

33.4 The police officers shall use the methods including writing note and report, making hand drawing, taking photography, recording video and sound, operating the polygraph and other actions for their activities.

33.5 It is prohibited to the police officers to search, collect, use and distribute an information related to individual privacy except as provided by Law.

33.6 While performing the duties, the police office and its officers shall use physical force, special equipments and firearms in accordance with procedures prescribed by Law.

Article 34. Police ranks of position

34.1 The following ranks of position shall be awarded to the police officers:

34.1.1 Top ranks: General Commissioner; First Deputy Commissioner; Deputy Commissioner; Assistant Commissioner;

34.1.2 Senior ranks: Police Colonel; Police Lieutenant Colonel; Police Major;

34.1.3 Medium ranks: Police Captain; Police Senior Lieutenant; Police Lieutenant;

34.1.4 Low ranks: Police First foreman; Police foreman; Police Sub-foreman;

34.2 The rank of General Commissioner shall be awarded to the General Commissioner of the National Police Agency, the rank of First Deputy Commissioner shall be awarded to the First Deputy Commissioner of the National Police Agency; the rank of Deputy Commissioner shall be awarded to the Deputy Commissioner of the National Police Agency; and the rank of Assistant Commissioner shall be awarded to the head of the sub-departments in the National Police Agency.

34.3 The rank of Police Colonel shall be awarded to the head of a unit in the structure of the National Police Agency and the head of a police office in charge of the territory and similar leading officials for those; the rank of Police lieutenant colonel shall be awarded to the head of a unit and service, the head of a police department in charge of a particular area and similar leading officials for those; and the rank of Police major shall be awarded to the head of a division in the police department responsible for a particular area and other similar officials of it.

34.4 The classification and categories of similar positions to those set forth in the Article 34.3 of this Law shall be determined by Government member in charge of legal affairs, and the classification and categories of the positions in each ranks specified in the Article 34.1.3, 34.1.4 of this Law shall be determined by the General Commissioner of the National Police Agency.

34.5 The rank of Assistant Commissioner can be awarded to the head of the City police department.

34.6 Citizens who attending to an internal and foreign school preparing professional personnel of the police may be awarded the rank of Police cadet.

Article 35. Conferring ranks of position

35.1 The police officers shall be conferred the ranks of position referred to in Article 34.1 of this Law by the authorized officials having the right to appoint him or her.

35.2 When the police officers are released from the service due to grounds reaching the retirement age and the upper limit of the age for serving, he or she will be held the highest rank which he or she was enjoying while working.

35.3 The procedure for conferring the ranks of position shall be approved by Government member in charge of legal affairs.

Article 36. Degradation and deprivation of police rank

36.1 Police officer, who demoted from any police rank shall be granted with a rank for his or her newly appointed position accordingly.

36.2 Police officer's rank shall be subject to deprivation of rank unless otherwise waiver on the basis of law on legal state of law enforcement.

Article 37. Guarantee for police officer and employee

37.1 Police officer and employee shall be secured by following guarantees besides guarantees specified in the law on legal state of law enforcement:

37.1.1 Shall use service transportation depending on his or her assigned duties according to applicable procedure;

37.1.2 Police officers, employees and their family members shall be protected by police agency for any potential danger of abusing, threatening, humiliating, maligning and other illegal acts or activities in relation to police officer's duty;

37.1.3 Provided with formal residences;

37.1.4 Government shall be responsible for at least 60% of expenses incurred in the event of medical treatment abroad for any injury struck during his or her duty and amount that exceeded the annual treatment compensation limit set forth in the law on health insurance for citizens;

37.1.5 Get paid for the position during retraining and professional upgrade at order of the agency; and

37.1.6 Other guarantees defined by laws and regulations

37.2 Police officer and employee shall be compensated for cost of public transportation used during his or her duty according to procedure set by the agency.

37.3 Government shall resolve residential apartments of officers for combating against crime and public security with based on proposal of police agency whereas police officers for public security protection shall be decided by governor of the province.

37.4 Government funded housing shall be the property of police agency and houses funded by local government shall be remained as a property of that local government.

Article 38. Compensation and benefits for police officers

38.1 In case of demise of a police officer during his or her duty, the deceased police officer's one family member shall be eligible to receive allowance equal to one month salary the deceased received last in every month for ten years.

38.2 Following requirements for the family member of the deceased to become eligible to receive allowance or benefit set forth in clause 38.1 of this Law:

38.2.1 Spouse who registered marriage with the deceased;

38.2.2 Minor child;

38.2.3 Parents or minor sibling who were dependent of the deceased officer; and

38.2.4 If natural sibling(s) of the deceased officer is disabled and dependent.

38.3 The right set forth in clause 38.2 of this Law shall not be transferrable to others.

38.4 The guarantee in the clause 38.1 of this Law shall also be applicable to for compensation of threat for health and life of released police officer in relation to his or her previous duties.

38.5 Expenses in the clause 38.1 of this Law shall be borne by the government and compensated by the guilty person.

38.6 One year of service by police officer for detention center and state special protected area as patrol, guard and watchman shall be considered as one year and three months.

Article 39. Other guarantees

39.1. Police agency shall be responsible for creating working condition, housing, transportation and communication means of the police officers who are appointed from province center to other soums.

39.2. Police officers, who are continuously working at other soum centers from province center are eligible to receive cash incentive equal to base salary for 30 months every five years and procedure for granting such incentive shall be approved by the government.

CHAPTER NINE MISCELLANEOUS

Article 40. Monitoring for activities of police agency

40.1. Police agency shall communicate with any organization or competitive authority with regard to law enforcement according to Article 11 of this Law on legal state government agency.

40.2. Central governmental organization for legal affairs shall monitor activities of Police agencies according to law on legal state government agency.

40.3. Special monitoring subcommittee of the State Great Khural shall monitor classified operation of inspection by police agency in terms of implementation of laws and regulations.

40.4. Court and prosecutor agency shall monitor classified operation of inspection by police agency according to procedure based on law.

40.5. The National Human Rights Committee shall monitor activities of Police agency and police officers for implementation of Constitutional law, applicable laws, regulations, international human rights and freedom acts.

Article 41. Liabilities for violators of Police agency law

41.1. In case of waiver for police officer from any penalty for his or her violation of laws and regulations of Police agency and taken oath, he or she shall be liable to disciplinary liability based on law on law enforcement officers' status and other ethical rules of police agency.

41.2. Liability shall be imposed to those who hindered the implementation of power given by the law for Police agency and officers, resisted with force and threatened released citizen or his or her relative from Police agency for the reason of pension age with regard to the duty.

41.3. "relative" in the Article 41.2 of this Law shall have meaning set forth in Article 3.1.3 of Law on Takhar service of Mongolia.

Article 42. Effectiveness of the law

42.1. The law shall be effective from January 01, 2014.

Chairman of the State Great Khural of Mongolia

Z.ENKHBOLD