

CHAPTER ONE

General provisions

Article 1. Purpose of the Law

1.1. The purpose of this law shall be to regulate relations connected to exploitation of radioactive minerals and nuclear energy on the territory of Mongolia for peaceful purposes, ensuring nuclear and radioactivity safety, protecting population, society and environment from negative impacts of ionized radioactivity.

Article 2. Legislation on nuclear energy

2.1. Nuclear Energy Law shall consist of the Constitution¹, this Law and other relevant legislative acts issued in consistence with these.

2.2. If an international treaty to which Mongolia is a Party provides otherwise, the provisions of the international treaty shall prevail.

2.3. Relations connected to exploitation of nuclear energy that have not been comprehensively regulated by this Law shall be regulated by the relevant articles, paragraphs and clauses of the Energy Law².

Article 3. Definitions of the law terminology

3.1. The following terms used in this Law shall have the following meaning:

3.1.1. "Nuclear energy" means all forms of energy originated as a result of nuclear fission and nuclear evolution;

3.1.2. "Exploiting nuclear energy for peaceful purposes" means exploiting nuclear energy for the industry other than the industry of nuclear weapon;

3.1.3. "Nuclear and radiation safety" means ensuring protection of population and environment from impact of radioactive elements and other generators of ionizing radiation, and safe operation of nuclear facility and radiation generators;

3.1.4. "Radioactive minerals" means mineral accumulations containing uranium and radioactive isotope of thorium colony as stipulated in Article 4.1.2 of the Minerals Law³;

3.1.5. "Nuclear substance" means substance containing uranium, radioactive isotope of thorium colony and rare earth elements used for the nuclear material and nuclear technology;

3.1.6. "Nuclear facility" means nuclear fuel plant, nuclear and research reactor, source of nuclear energy, nuclear fuel and utilized fuel stock facility, enrichment plant, recycling plant of utilized fuel;

3.1.7. "Ionizing radiation" means radiation which directly and indirectly creates dual ions within substances and biological bodies;

3.1.8. "Nuclear energy resource" means as stipulated in Article 3.1.21 of the Energy law;

3.1.9. "Nuclear energy" means as stipulated in Article 3.1.22 of the Energy Law;

3.1.10. "Source of nuclear energy" means as stipulated in Article 3.1.23 of the Energy Law;

3.1.11. "Nuclear fuel" means materials used in generating nuclear energy;

3.1.12. "Nuclear material" means materials used in nuclear reactor and nuclear weapons;

3.1.13. "Radiation generator" means any instrument and means for production of radioactive substance generating radioactive exposure and ionizing radiation, except nuclear facility;

3.1.14. "Material for nuclear fuel" means nuclear substance to generate a substantial amount of energy as a result of nuclear fission;

3.1.15. "Nuclear source material" means raw materials i.e. uranium, thorium ore and rare earth elements to produce nuclear fuel material;

3.1.16. "Radioactive waste" means any item with radioactive indicator exceeding an accepted level specified in the waste standard and that exist in any state or form and not suitable for further use;

3.1.17. "Yellow cake" means uranium oxide to originate at intermediate stage during the course of uranium processing operation;

3.1.18. "Physical protection" means measures or unified organizational system to prevent access of unauthorized person to nuclear material and nuclear facility according to the Vienna convention on Physical protection of Nuclear Material;

3.1.19. "Exposure" means impact of radioactive substance and ionizing radiation generator onto human;

3.1.20. "Occupational exposure" means any radiation impact exposed by employees dealing with radiation due to work conditions.

3.1.21. "Dose" means quantity indicating exposure defined at the extent of energy absorbed by body from ionized radiation

3.1.22. "Burying radioactive waste" means burial of radioactive waste of the country only.

Article 4. Principles of exploitation of radioactive minerals and nuclear energy

4.1. The following principles shall be complied with exploitation of radioactive minerals and nuclear energy:

4.1.1. Shall not contradict with national security of Mongolia;

4.1.2. Shall be coherent with international treaties of Mongolia;

4.1.3. Shall conduct solely for peaceful purposes in conformity with international treaties and conventions;

4.1.4. Shall strictly adhere to international and national standards;

4.1.5. Shall apply technique and technology non-hazardous to human health and environment.

Article 5. The ownership of radioactive minerals and the State participation in the exploitation activity of radioactive minerals

5.1. The radioactive minerals existing in the subsoil of Mongolia is the property of the State.

5.2. In case if radioactive minerals deposit which reserves were determined by the State funding is exploited jointly with a legal person, the State will own directly and free of charge not less than 51% of the shares of the legal person with whom the State will co-operate.

5.3. In case if radioactive minerals deposit which reserves were determined without State funding and registered at the State Integrated Registry, the State will directly own free of charge not less than 34% of the shares of the legal person owning a mining license of radioactive minerals.

5.4. If the State possesses more shares than those specified in Articles 5.1 and 5.2 of this Law, The State Ikh Khural shall determine the State shares according to the proposal of the Government considering the past and future investment amount of the State.

Article 6. Radioactive minerals deposit classification.

6.1. The radioactive minerals deposit regardless of its size shall be classified as the strategically important mineral resource deposit.

Article 7. Full rights of the Government

7.1. The decision on the following issues made by the stockholders meeting, Board of Directors, management and shareholders of the license holder specified in Articles 15.1.2, 15.1.5 and 15.1.6 of this Law shall become valid after it is approved by the Nuclear Energy Committee:

7.1.1. Sell, present as a gift, pledge or transfer by any other means more than 5% of the shares of the particular legal body to others' ownership, possession and utilization,

7.1.2. Newly issue a voucher or a security convertible into a share or additionally issue more than 5% of the total shares by a particular legal body,

7.1.3. Re-structure a particular legal body by merging, integrating, splitting and separating.

7.2. The license holder specified in Articles 15.1.2, 15.1.5 and 15.1.6 of this Law shall submit the following documents to the Nuclear Energy Committee within 14 days from taking the decision stipulated in Article 7.1 of this Law:

7.2.1. The original copy of the decision specified in Article 7.1 of this Law, names, addresses and description of activities of the legal body who is acquiring shares into its ownership, possession and utilization and any other information connected to the decision regarded as necessary by the Nuclear Energy Committee.

7.2.2. The original copy of the decision specified in Article 7.1.2 of this Law, names, addresses and description of the activities of the legal body purchasing shares, vouchers or securities convertible into the shares and any other information connected to the decision regarded as necessary by the Nuclear Energy Committee.

7.2.3. The original copy of the decision specified in Article 7.1.3 of this Law, re-structuring plan of the legal body and any other information connected to the decision regarded as necessary by the Nuclear Energy Committee.

7.3. The Nuclear Energy Committee shall make the decision whether to approve or disapprove a particular decision within 30 days from the date of the receipt of the documents specified in Article 7.2 of this Law.

7.4. If the license holder specified in Articles 15.1.2, 15.1.5 and 15.1.6 has not fulfilled its obligation specified in Article 7.1 and 7.2 of this Law, its license shall be revoked by the State Administrative Body in charge of the nuclear energy issues.

CHAPTER TWO

State regulation of radioactive minerals and nuclear energy exploitation sector

Article 8. Full rights of the State Ikh Khural(Parliament)

- 8.1. The State Ikh Khural shall execute the following full rights in respect of radioactive minerals and nuclear energy:
- 8.1.1. Adopt state policy on exploitation of radioactive minerals and nuclear energy, introduction of nuclear technology and ensuring nuclear and radiation safety;
 - 8.1.2. Monitor activities of the Government in relation to implementing related legislation on exploitation of radioactive minerals and nuclear energy, introduction of nuclear technology and ensuring radiation safety;
 - 8.1.3. Resolve issues of financing costs of radioactive minerals and nuclear energy exploitation, introduction of nuclear technology and ensuring radiation safety by the State from fundings of the State Budget.

Article 9. Full rights of the Government

- 9.1. The Government shall execute the following full rights in respect of radioactive minerals and nuclear energy:
- 9.1.1. Develop the State Policy on exploitation of radioactive minerals and nuclear energy, introduction of nuclear technology and ensuring nuclear and radiation safety;
 - 9.1.2. Organize execution of related legislation on exploitation of radioactive minerals and nuclear energy, introduction of nuclear technology and ensuring radiation safety;
 - 9.1.3. Organize implementation of decisions issued by the International Atomic Energy Agency in connection with exploitation of radioactive minerals and nuclear energy, introduction of nuclear technology and ensuring radiation safety;
 - 9.1.4. Adopt general rules, procedures and instructions on exploitation of radioactive minerals and nuclear energy, introduction of nuclear technology and ensuring radiation safety;
 - 9.1.5. Adopt contingency plan on prevention of potential nuclear and radiation accident comprising broad masses, elimination of accident consequences and undertaking measures during accident;
 - 9.1.6. Mitigate damages, restrict spread and eliminate consequences in case of nuclear and radiation accident comprising broad masses;
 - 9.1.7. Select construction site of nuclear facilities;
 - 9.1.8. Prepare and implement long-term program of storing nuclear waste and utilized nuclear fuel safe to population, society and environment.

Article 10. Nuclear Energy Committee

- 10.1. The Nuclear Energy Committee (further to be called the "Committee") shall be obliged to regulate the activity connected to exploitation of radioactive minerals and nuclear energy, introduction of nuclear technology, development of research and ensuring nuclear and radiation safety.
- 10.2. The Prime Minister shall be the Chairman of the Committee and the Director of the State Administrative Body in charge of the nuclear energy issue shall be the Deputy Chairman of the Committee.
- 10.3. The Government shall adopt the composition and rules of the Committee.
- 10.4. The Committee shall use stamp, logo and letterhead letter according to the determined procedure.

Article 11. State Administrative Body and Its Full Right

- 11.1. The State Administrative Body, in charge of nuclear energy issue shall be responsible for the implementation of the State Policy on exploitation of radioactive minerals and nuclear energy, introduction of nuclear technology and development of nuclear research as well as for ensuring nuclear and radiation safety and provision of professional control.
- 11.2. The state shall finance the State Administrative Body from the state budget and ensure economic guarantee of its operation. The budget of the State Administrative Body shall meet the requirements for full implementation of duties and purposes assumed by law.
- 11.3. The State Administrative Body shall have a special facility of national level to centrally store, transport and dispose nuclear material, nuclear waste and non-exploitable radioactive waste. The special facility shall be the state

restricted object.

11.4. The State Administrative Body shall use emergency vehicle for its operation. The emergency vehicle shall have a special logo, siren and light bars.

11.5. The state inspector on nuclear and radiation control shall use special uniform and distinguishing emblem and the State Administrative Body shall approve the uniform design, usage procedure and term.

11.6. The State Administrative Body shall execute the following full rights:

11.6.1. Execute the State Policy and ensure implementation in respect of exploitation of radioactive minerals and nuclear energy, introducing nuclear technology and ensuring nuclear and radial safety;

11.6.2. Organise an activity of processing radioactive minerals;

11.6.3. Control the activities on exploitation of radioactive minerals and nuclear energy, introducing nuclear technology and ensuring nuclear and radiation safety and take measures to have revealed violation eliminated;

11.6.4. Supervise implementation of international treaties of Mongolia pertaining to exploitation of radioactive minerals and nuclear energy, introducing nuclear technology and ensuring nuclear and radiation safety and take measures to have revealed violations eliminated;

11.6.5. Grant, suspend and revoke licenses specified in Article 14 of this Law;

11.6.6. Execute the activity of centrally storing, transporting and disposing nuclear waste and nuclear generators on national level.

11.6.7. Adopt related rules of safe operation of nuclear material, radioactive minerals, radiation generator, and instruments and equipment with radiation generator;

11.6.8. Develop and supervise implementation of rules, procedures, instructions and standards pertaining to exploitation of radioactive minerals and nuclear energy, introducing nuclear technology and ensuring nuclear and radiation safety;

11.6.9. Prepare jointly with relevant organization and put control over execution of the contingency plan for preventing potential nuclear and radiation accident, eliminating accident consequences and undertaking measures during accident;

11.6.10. Obtain information and documents required for execution of directive duties specified in law from a relevant person free of charge and, if need, involve an inspection professional institution and experts;

11.6.11. Keep state register of nuclear material and radiation generators, control occupational exposure dose of employees dealing with radiation and maintain database of exposure dose;

11.6.12. Supervise activities of protection and safety of all radiation generating equipment used in production, research, diagnosis and medical treatment;

11.6.13. Keep control in cooperation with relevant organizations over nuclear material, radiation generating instrument, equipment, transport means to cross state frontiers and undertake measures for ensuring their protection and safety;

11.6.14. Implement jointly with relevant professional organization works on inspection-analysis of radiation level of environment, consumer goods, material, food, drinking water; determine whether it negatively influences human health and undertake measures on provision of quality assurance;

11.6.15. Adopt procedure on inventory, loss, depreciation, and transfer of nuclear materials;

11.6.16. Integrate and process information specified in Article 28.8 of this Law and, if need, audit and send to the International Atomic Energy Agency according to relevant procedure.

11.6.17. Cooperate with foreign states and international organizations in conformity with laws and legislations.

11.6.18. When executing its full rights granted by law the State Administrative Body, if need, shall take professional assistance and support from international organization.

11.6.19. Adopt the list of confidential information related to capacity, quantity, transfer, and transportation in view of specifications of uranium ore, nuclear material, radiation generators, and take measures to ensure its implementation.

11.6.20. Verify the amount of costs spent on exploration activity by the license holder specified in Article 15.1.5 of this Law on the basis of annual report on geological exploration and financial report, and if need check costs spent on exploration activity on location.

11.6.21. Other rights stipulated in laws and legislations.

11.7. The State Administrative Body shall classify as confidential information according to its request an exploration report and Feasibility Study prepared by the license holder specified in Article 15.1.5 of this Law, and mining information and Feasibility Study prepared by the license holder specified in Article 15.1.6 of this Law during the validated period of the license.

11.8. The information classified as confidential in accordance with Article 11.6 of this Law is prohibited to reveal, publish and publicize apart from the basis and procedures specified in the Law of the State Secret⁴, Law on Organizational Privacy⁵ and Law on the Personal Privacy⁶.

Article 12. State Inspector on nuclear and radiation control and his full rights

- 12.1. The State General Inspector, State Senior Inspector and State Inspector on nuclear and radiation inspection shall work at the State Administrative Body.
- 12.2. The Government shall grant the rights of the State General inspector of nuclear and radiation control.
- 12.3. The State General Inspector of nuclear and radiation control shall appoint and release the State Senior Inspector and the State Inspector (hereinafter to be called the "State Inspector").
- 12.4. The State Inspector shall execute general full rights specified in the Law on State Inspection⁷, Administrative Law⁸ and other legislation in respect of nuclear and radiation control.
- 12.5. In implementing his full rights specified in legislation the State Inspector shall not come under influence of others. He shall operate guided solely by law and other coherent legislative acts.
- 12.6. Individual, legal person, or official shall be prohibited to participate and influence implementation of his full rights specified in legislation by the state inspector.
- 12.7. The State Inspector shall enter the inspecting nuclear facility and other sites without any obstacles.
- 12.8. Any other body shall be prohibited to make decision on any issue within the full rights specified in legislation by the state Inspector.
- 12.9. Nuclear and radiation inspection shall be carried out in accordance with the guidance approved by the State General Inspector.

Article 13. Full rights of local administrative and self-governing organizations

- 13.1. On issues of radioactive minerals and nuclear energy local administrative and self-governing organization shall execute the following full rights:
- 13.1.1. Organize implementation of decisions issued by the Government in connection with the legislation on nuclear energy and its execution in its respective territory.
- 13.1.2. Permit use of the respective territory under exploration and mining licenses of radioactive minerals for the purposes and eliminate existing violations.
- 13.1.3. Control the course of implementation by the license holder his obligations in respect of environment protection, reclamation, protection of human health and allocation of payment to local budget.
- 13.1.4. Conduct training and advertising on its respective territory about ensuring nuclear and radioactive protection and safety, and prevention from radiation accident.

Article 14. Full rights of border protection, customs and professional inspection authority and their officials

- 14.1. Border protection, customs and professional inspection authority and their officials shall immediately inform the State Administrative Body and law enforcing organizations about nuclear material, radiation generator, instrument and equipment with radiation generator without relevant permission revealed during inspection, and undertake measures to ensure safety.

CHAPTER THREE

License

Article 15. License

- 15.1. The following activities shall be conducted with the license granted by the State Administrative Body:
- 15.1.1. Construct, modify, renovate and close nuclear facilities;
- 15.1.2. Exploit nuclear facility;
- 15.1.3. Possess, use and sell nuclear substance;
- 15.1.4. Import, export, transport nuclear substance, bury nuclear waste;
- 15.1.5. Prospect and explore radioactive minerals;
- 15.1.6. Exploit radioactive minerals;
- 15.1.7. Import, export and transport radioactive minerals, bury radioactive waste, conduct reclamation of land after closure of the operation.
- 15.1.8. Possess, exploit, sell, install, station, rent, produce, close, dismantle, store, transport, import, export, burial of waste, make harmless of radiation generator and conduct other related activities.

Article 16. General requirements for license holder

- 16.1. The license specified in Articles 15.1.1-15.1.7 of this Law shall be granted to taxpaying company of Mongolia undertaking activity and incorporated according to the legislation of Mongolia.
- 16.2. The license specified in Article 15.1.8 of this Law shall be granted to other organization undertaking activity in Mongolia besides to company specified in Article 16.2 of the same Law.
- 16.3. The license holder shall fulfill the following general requirements:
- 16.3.1. Shall comply with legislation of Mongolia and international and national standard;
- 16.3.2. Shall utilize advanced technology harmless for human health, environment-friendly;
- 16.3.3. Shall conduct transparent and stable activity;
- 16.3.4. Shall have the financial capacity to eliminate damages of potential accident.

Article 17. Requirements for license holder

- 17.1. The license holder specified in Articles 15.1.1-15.1.4 of this Law shall meet the following conditions:
- 17.1.1. Should fully fulfill technical and safety requirements;
- 17.1.2. Should fully fulfill labor safety and sanitary requirements and standards;
- 17.1.3. Should initiatively participate in resolution of social issues on regional development, health and education;
- 17.1.4. Should have a tradition of applying standards on company governance, social responsibility and ethics accepted globally;
- 17.1.5. Should have human resource specialized for intended activity;
- 17.1.6. Should possess experience in resolving employers' training and practicing issues;
- 17.2. The applicant requesting a license to undertake activity specified in Article 15.1.5 of this Law shall meet the following general conditions besides those stipulated in Article 17.1 of the same Law:
- 17.2.1. Should be financially capable to conduct exploration activity of radioactive minerals;
- 17.2.2. Should be financially capable to conduct environmental and biological reclamation;
- 17.2.3. Should conduct responsible mining and have sufficient experience in this field;
- 17.2.4. Should fulfill international standards and requirements on labor protection of mining production and safety;
- 17.3. The applicant requesting a license to undertake activity specified in Article 15.1.6 of this Law shall meet the following general conditions besides those stipulated in Article 17.1 of the same Law:
- 17.3.1. Should meet conditions specified in Articles 17.2.1-17.2.4 of this Law;
- 17.3.2. Should be financially independent and capable to sell radioactive minerals for peaceful purposes at world market price;
- 17.3.3. Should held the leading position on the world market of radioactive minerals;
- 17.3.4. Should have financial capacity to mine radioactive minerals;
- 17.3.5. Should have long years of experience in mining of radioactive minerals;
- 17.3.6. Should possess advanced technology of exploiting reserves of radioactive minerals deposit;
- 17.3.7. Should utilize economically viable and advanced technology in the milling and mining of radioactive minerals;
- 17.3.8. Should be capable in introducing nuclear technology.
- 17.4. The applicant requesting a license to undertake activity specified in Articles 15.1.7 and 15.1.8 of this Law shall meet the conditions stipulated in Articles 17.1.1, 17.1.2, 17.1.4 and 17.1.5 of the same Law.

Article 18. Procedures of issuing special license

- 18.1. The license to undertake activity specified in Articles 15.1.1-15.1.5 of this Law shall be issued to the license applicant that has best met the conditions stipulated in Article 17.1 of the same Law.
- 18.2. The license to undertake activity specified in Article 15.1.5 of this Law shall be issued to the license applicant that has best met the conditions stipulated in Article 17.2 of the same Law and accepted the conditions stipulated in Articles 5.2 and 5.3 of this Law.
- 18.3. In cases other than those specified in Article 18.5 of this Law, the license to undertake activity specified in Article 15.1.6 of the same Law shall be issued to the license applicant that has best met the conditions stipulated in Article 17.3 of this Law and accepted the conditions stipulated in Articles 5.2 and 5.5 of this Law.
- 18.4. The license to undertake activity specified in Article 15.1.7 of this Law shall be issued to the license applicant that has best met the conditions stipulated in Article 17.4 of the same Law.
- 18.5. The license to undertake activity specified in Article 15.1.6 of this Law shall be issued in priority in the following case:
- 18.5.1. If the exploration license holder who has met the conditions and requirements specified in this Law and accepted the conditions stipulated in Articles 5.2 and 5.3 of the same Law has submitted an application to obtain a mining license on the exploration area where it has conducted exploration activity by its funds, determined reserves

and registered with the State Integrated Registry;

18.5.2. If the license applicant that has agreed once and directly to make payments equal to not less than 10 percent of radioactive minerals reserve of a particular deposit registered with the State Integrated Registry has applied for a mining license of radioactive minerals on the exploration area other than those specified in Article 18.5.1 of this Law.

18.6. The applicant requesting a license specified in Article 18.5.2 of this Law should meet the conditions stipulated in Article 17.3 of the same law and accept the conditions stipulated in Articles 5.2 and 5.3 of this Law.

18.7. The payment specified in Article 18.5.2 of this Law shall be determined considering the average price of radioactive minerals on the international market during the last 6 months.

18.8. The proposal of the Central Intelligence Office shall be taken in relation to the issuance of license enabling to conduct activity specified in Articles 15.1.1-15.1.7 of this Law.

18.9. The State Administrative Body shall review the application and other relevant documents and shall make decision on issuance of a license to conduct activities specified in Articles 15.1.1.-15.1.4, 15.1.6 and 15.1.7 of this Law within 6-12 months and a license to conducts activities specified in Articles 15.1.5 and 15.1.8 within 1-3 months considering the specific characteristics of the activity.

18.10. The State Administrative Body shall give a written reply specifying the grounds of refusal to issue a license.

18.11. If it is necessary, the State Administrative Body has the right to engage a relevant organization for investigation and verification of documents of an applicant.

Article 19. Procedures for submission of application requesting license

19.1. The applicant requesting a license to conduct activities specified in Article 15.1 of this Law shall complete the following documents beside those stipulated in Articles 11.1.1-11.1.3 of the Law on Licensing⁹:

19.1.1. Introduction of the purpose, type, main direction of activity, feasibility study and introduction of specialized personnel, certificate of preparation and training of internal inspection employees and employees dealing with radiation;

19.1.2. Comprehensive program coherent with international standards of safe operation related to its activities and implementation plan;

19.1.3. Evaluation of the State Administrative body regarding the meeting of requirements of nuclear and radiation protection and safety standards of operation facility;

19.1.4. Environmental impact assessment;

19.1.5. Plan of actions on environment protection;

19.1.6. Contingency plan on measures to be undertaken during nuclear and radiation accident;

19.1.7. Decision on appointment of a division or employee in charge of internal inspection of nuclear and radiation safety;

19.1.8. Introduction of resource possibility means and forces required for elimination of harms of potential nuclear and radiation accident and disaster;

19.1.9 Certificate and specification of radiation measuring instrument and equipment;

19.2. The applicant requesting a license to undertake activity specified in Articles 15.1.1 and 15.1.2 of this Law shall complete documents stipulated in Article 21.1 of the Energy Law and attach cadastral mapping necessary for the intended operation besides those specified in Article 19.1 of this Law.

19.3. The applicant requesting a license enabling to undertake activity specified in Article 15.1.5 shall complete the following documents beside those stipulated in Article 19.1 of the same Law.

19.3.1. Official decision confirming the acceptance of the conditions specified in Articles 5.2 and 5.3 of this Law;

19.3.2. Documents specified in Article 18.2 of the Minerals Law.

19.4. The applicant requesting a license to undertake activity specified in Article 15.1.6 of this Law shall complete the following documents beside those specified in Article 19.1 of the same Law:

19.4.1. Decision specified in Article 19.3.1 of this Law.

19.4.2. Documents specified in Article 25.1 of the Minerals Law.

19.5. The applicant requesting a license to undertake activity specified in Article 15.1.8 of this Law shall complete the following documents beside those specified in Article 19.1 of the same Law:

19.5.1. Certificate and specifications of the manufacturer which produced radiation generator, instrument and equipment to be used;

19.5.2. Certificate of quality assurance of radiation generator.

19.6. The State Administrative Body shall undertake the following activity once it has received an application:

19.6.1. Register application and inform the applicant about it;

19.6.2. Examine whether the application and attached documents meet the requirements specified in this Law;

19.7. The State Administrative Body shall undertake activity specified in Article 26.2 of the Minerals Law apart from those specified in Article 19.6 of this law in relation to the application requesting a license to conduct activity stipulated in Articles 15.1.5 and 15.1.6 of this Law.

19.8. The State Administrative Body shall inform the state administrative body in charge of environmental issues, state administrative authority in charge of tax and mineral resource issues, and aimag, soum, district Governors, specialized inspection authority and the public of the territory where the license was granted, about the issuance of a license within 5 working days.

Article 20. License payment and fee

20.1. The license holder to undertake activity specified in Articles 15.1.1-15.1.4, 15.1.7 and 15.1.8 of this Law shall pay stamps duty according to Article 15.7 of the State Stamp Duty Law¹⁰.

20.2. The license holder to undertake activity specified in Articles 15.1.5 of this Law shall make license payment according to Article 32.2 of the Minerals Law.

20.3. The license holder to undertake activity specified in Article 15.1.6 of this Law shall make the following payments:

20.3.1. The license fee according to Article 32.3 of the Minerals law.

20.3.2. The royalty according to Article 47 of the Minerals Law.

20.4. The license fee specified in Articles 20.2 and 20.3.1 of this Law shall be made according to the procedures stipulated in Article 34 of the Minerals Law.

20.5. The license fee specified in Articles 20.2 and 20.3.1 of this Law shall be allocated according to Article 59 of the Minerals Law.

20.6. The royalty specified in Articles 20.3.2 of this Law shall be allocated according to Article 58 of the Minerals Law.

Article 21. License terms

21.1. The license specified in Articles 15.1.1, 15.1.3-15.1.5, 15.1.7 and 15.1.8 of this Law shall be issued for the period of up to 3 years considering the specific characteristics of a particular operation and inspection results.

22.2. The license specified in Articles 15.1.2, 15.1.6 of this Law shall be granted for the period of up to 20 years considering the feasibility study and inspection results.

Article 22. Extension of the license terms

22.1. The license holder undertaking activity specified in Articles 15.1.1, 15.1.3-15.1.5, 15.1.7, 15.1.8 of this Law can make an application for extending its term no less than 1 month from the expiration date of the license to the State Administrative Body.

22.2. The license holder undertaking activity specified in Articles 15.1.2 and 15.1.6 of this Law can make an application for extending its term no less than 2 years from the expiration date of the license to the State Administrative Body.

22.3. The State Administrative Body shall review within 30 working days after the receipt of the application specified in Article 22.1 of this Law whether the license holder has met conditions and requirements stipulated in this Law and in the event of non-violation, considering the specific characteristics of its operation, it shall extend the license for the period of up to 3 years and register it in the license registration database.

22.4. The State Administrative Body shall review within 60 working days after the receipt of the application specified in Article 22.2 of this law whether the license holder has met conditions and requirements stipulated in this Law and in the event of non-violation, considering the specific characteristics of its operation, it shall extend the license for the period of up to 20 years and register it in the license registration database.

22.5. The following documents shall be attached to the application requesting for license extension:

22.5.1. A copy of the license proved by notary office;

22.5.2. Receipt of the state stamp duty or license payment;

22.5.3. Documents specified in Articles 22.1.1-22.1.4 of the Minerals Law if the applicant is requesting to extend a license to undertake activity stipulated in Article 15.1.5 of this Law.

22.5.4. Documents of examining the implementation of Environmental Protection Plan according to Article 39 of the Minerals Law if the applicant is requesting to extend a license to undertake activity stipulated in Article 15.1.6 of this Law.

22.6. The State Administrative Body shall inform authorities and public specified in Article 19.8 of this Law within 5 working days after issuance of the decision to extend the term of the license.

Article 23. License suspension

23.1. A license shall be suspended according to Article 13 of the Law on Licensing.

Article 24. Prohibition on transfer of license

24.1. The license holder shall be prohibited to sell, present as a gift, pledge and transfer by any other means the land issued by the license to undertake activity specified in Articles 15.1.5 and 15.1.6 of this Law to other's ownership, possession and exploitation.

Article 25. Resolution of disputes related to licensing

25.1. Land boundary disputes raised between license holders to undertake activity specified in Articles 15.1.5 and 15.1.6 of this Law shall be resolved according to Article 62 of the Minerals Law.

25.2. The disputes raised between license holders, land owners, land possessor and land users shall be resolved according to Article 63 of the Minerals Law.

Article 26. Revocation of license

26.1. The State Administrative Body shall revoke the license specified in Articles 15.1.1-15.1.4, 15.1.7, 15.1.8 of this Law on the following grounds:

26.1.1. The company has been abolished or the individual has passed away;

26.1.2. It has been determined that false documents were submitted to obtain a license;

26.1.3. The conditions and requirements were violated repeatedly or seriously;

26.1.4. The requirements to eliminate violations during suspension time have not been fulfilled;

26.2. The State Administrative Body shall revoke the license specified in Articles 15.1.5 and 15.1.5 of this Law on the following grounds:

26.2.1. Existence of the grounds specified in Article 26.1 of this Law;

26.2.2. Existence of the grounds specified in Articles 56.1.3 – 56.1.5 of the Minerals Law;

26.2.3. Existence of the grounds specified in Articles 29.4 of this Law in relation to license stipulated in Articles 15.1.5 and 15.1.6 of this Law.

26.3. The State Administrative Body shall notify the license holder within 10 days following the determination that grounds for license revocation exist and shall clearly indicate the reasons for the revocation of the license.

26.4. If the license holder disagrees with the grounds indicated in the notice set forth in Article 26.3 of this Law, the license holder shall submit documentary evidence to the State Administrative Body.

26.5. The State Administrative Body shall review the documents specified in Article 26.4 of this Law and if determines that the documentary evidence submitted by the license holder does not ground revocation of the license, it shall terminate its decision for revocation. Whereas the State Administrative Body establishes sufficient grounds for revocation, the license shall be revoked and the license holder shall be notified accordingly.

26.6. As specified in Article 26.5 of this Law, the license holder shall have a right to file a complaint with the court if it disagrees with the decision to revoke its license. The court shall not suspend the revocation decision as set forth in Article 46.1.3 of the Law on Administrative Procedure¹¹.

26.7. The State Administrative Body shall notify organizations and public specified in Article 19.8 of this Law respectively regarding the revocation of the license within 5 working days.

Article 27. Grounds for termination of the license

27.1. A license shall be terminated on the following grounds:

27.1.1. Expiration of the license term.

27.1.2. Surrender of the entire licensed area by the license holder specified in Articles 15.1.5 and 15.1.6 of this Law.

27.1.3. Invalidation of the license by the State Administrative Body.

27.2. The license of a particular part of the licensed area that has been surrender by a license holder specified in Articles 15.1.5 and 15.1.6 shall be terminated.

27.3. Upon termination of the license, the license holder shall not be released from the reclamation liability as specified in the Environment Protection Law.

27.4. Upon termination of the license, the license holder shall return the license to the State Administrative Body.

Article 28. Rights and liabilities of license holder

28.1. The license holder shall have the following rights:

28.1.1. Take methodological assistance and advice from professional organization in relation to ensuring nuclear and radiation safety;

28.1.2. Other rights specified in legislation.

28.2. The license holder shall have the following liabilities:

28.2.1. Comply with nuclear energy legislation, and Governmental decisions, rules, procedures, instructions and standards issued in connection with implementation of relevant legislation;

28.2.2. Conduct activities fully meeting technical and safe operation requirements set by the International Atomic Energy Agency;

28.2.3. Conduct activity preventing from nuclear and radiation accident, and ensuring protection and safety;

28.2.4. Fulfill in time legal requirements of the State Administrative Body and the State Inspector and duly respond, and undertake measures to fully eliminate the violation revealed;

28.2.5. Establish an internal control unit ensuring nuclear and radiation safety and monitor its activities;

28.2.6. Undertake activities by complying with the internal rules on nuclear and radiation safety approved by the State Administrative Body;

28.2.7. Inform the State Administrative Body in the written form within 3 working days regarding the change of the officer responsible for the internal control;

28.2.8. Provide the State Administrative Body with true and realistic information on register and control of nuclear materials;

28.2.9. Submit information on radiation level to the State Administrative Body as required.

28.2.10. Inform the State Administrative Body in the written form of any change made to the documents submitted with the license application within 5 working days.

28.2.11. Other liabilities specified in the legislation.

28.3. The license holder undertaking activity specified in Article 15.1.5 has the following rights apart from those stipulated in Article 28.1 of this Law:

28.3.1. Conduct prospecting and exploration of radioactive minerals within the boundary of the exploration area;

28.4. The license holder undertaking activity specified in Article 15.1.5 has the following liabilities beside those stipulated in Article 28.2 of this Law:

28.4.1. Conduct prospecting and exploration of minerals other than radioactive minerals on the basis of the license issued by the State Administrative Body in charge of geology and mining issues;

28.4.2. Conduct annually exploration activity costing not less than the amount specified in Article 33.1 of the Minerals Law.

28.4.3. Fulfill the liabilities specified in Articles 35.2, 37.2, 38.1 and 48.8 of the Minerals Law.

28.4.4. Prepare and submit accurate information, report and plans stipulated in Article 48.1 of the Minerals Law within the time specified in the law to the State Administrative body.

28.4.5. Prepare an integrated report on deposit reserves, prospecting and exploration results in consistence with the approved form and requirements and submit it along with the original materials to the State Administrative body.

28.5. The license holder undertaking activity specified in Article 15.1.6 has the following rights apart from those stipulate in Article 28.1 of this Law:

28.5.1. Conduct exploration of radioactive minerals on the mining site.

28.6. The license holder undertaking activity specified in Article 15.1.6 has the following liabilities apart from those stipulated in Article 28.2 of this Law:

28.6.1. Exploit radioactive minerals existing in the mining claim according to conditions and procedures specified in this Law.

28.6.2. Exploit minerals other than radioactive minerals existing in the mining claim on the basis of the license issued by the State Administrative body in charge of geology and mining issues;

28.6.3. Sell radioactive minerals mined from the mining claim and produced products at the world market price;

28.6.4. Fulfill liabilities specified in Articles 35.3-35.5, 36.1, 36.2, 39.1, 45.1, 45.2, 47.1, 47.5, 47.6 and 48.7-48.10 of the Minerals law.

28.6.5. Prepare and submit in timely manner as specified in the law accurate information, report and plans stipulated in Article 48.6 of the Minerals Law to the State Administrative body.

28.7. The license holder undertaking activities specified in Articles 15.1.5 and 15.1.6 of this Law may surrender fully or partly the licensed area according to the procedures stipulated in Articles 54 and 55 of the Minerals with the

permission and supervision of the relevant authority. The State Administrative Body shall approve the application form.

28.8. In the Safeguard Agreement a license holder shall be obliged to submit accurately required information such as quantity and amount of nuclear materials, modification, loss, depreciation, transfer and shift to the State Administrative Body according to the instructions within the specified time;

28.9. The license holder shall allocate monetary fund in the State Treasury as a guarantee of implementing his liabilities on protection of environment and prevention from nuclear and radiation accident.

28.10. The Government shall determine the amount of monetary fund specified in Article 28.9 of this Law considering the public interest and potential risk impacts to human health, environment and national security on the basis of the joint proposal made by the State Administrative Bodies in charge of nuclear energy, environmental, financial and budgeting issues.

CHAPTER FOUR

Deposit development agreement and investment agreement

Article 29. Deposit development agreement

29.1. The State Administrative Body shall conclude a deposit development agreement with the license holder undertaking activity specified in Article 15.1.6 of this law within 60 days from the license issuance day.

29.2. The term of the deposit development agreement shall be the same as the license term.

29.3. The following must be reflected in the deposit development agreement:

29.3.1. Grounds for exploitation of radioactive mineral deposit;

29.3.2. The term of exploitation of radioactive mineral deposit, name and type, grade and reserves of radioactive minerals;

29.3.3. Technology, production capacity and quantity of products to be mined reflected in the Feasibility Study;

29.3.4. Conditions of product sales;

29.3.5. Plan of environmental protection and reclamation, costs of its implementation;

29.3.6. General plan of mine closure;

29.3.7. Rights, liabilities and responsibilities of agreement parties;

29.4. The State Administrative Body shall revoke the license if the deposit development agreement has not been concluded within the time specified in Article 29.1 of this Law.

Article 30. Investment agreement

30.1. If the license holder specified in Articles 15.1.2, 15.1.5, 15.1.6 of this Law makes a request to conclude an agreement himself, an Investment Agreement with the purpose to provide a stable operational environment to undertake activities within a particular time may be concluded for up to 10 years and the issues stipulated in Articles 29.1.1 – 29.1.9 of the Minerals Law shall be reflected in the Agreement. The Agreement can be extended for up to 10 years.

30.2. The Government shall consent with relevant Standing Committee when establishing the Agreement specified in Article 30.1 of this Law with the Investor.

Article 31. Conclusion of Investment Agreement

31.1. The investor shall send the request for agreement conclusion specified in Article 30.1 of this Law and the draft agreement to the State Administrative Body attaching information on the investment size to be made in the first 5 years, term, plant capacity, name and type of product, method and technology of deposit development, and Feasibility Study.

31.2. The license holder undertaking activity specified in Articles 15.1.3, 15.1.4, 15.1.6, 15.1.7 of this Law shall enclose to the request for agreement conclusion and the draft agreement the record of the Minerals Council on registering reserves of the particular deposit in the State Integrated Registry apart from information stipulated in Article 31.1 of this Law.

31.3. The State Administrative Body shall review the investor's request draft agreement and attached documents in accordance with Article 31.1 of this law, and in the case of compliance with the requirements it shall inform the requesting person in the written form within 14 days.

31.4. The State Administrative Body shall review the investor's request, draft agreement and attached documents within 3 months from the date of its receipt and shall conclude an agreement with the investor if necessary and based on comments and expert opinion of the relevant organizations and specialists in additional 3 months extension for further clarification.

31.5. After signing the investment agreement in conformity with Article 30.2 of this Law the State Administrative Body shall deliver notice about conditions of this agreement to Mongolbank and other relevant authorities.

CHAPTER FIVE

Requirements for ensuring nuclear and radiation safety Article 32. Ensuring nuclear and radiation safety

- 32.1. It shall be prohibited to conduct activities connected with construction, modification, renovation and discharge from exploitation and transportation of nuclear materials without physical protection.
- 32.2. Relevant State Administrative Body and State Inspectors shall conduct control and evaluation of physical protection of exploitation work of radioactive minerals and nuclear energy.
- 32.3. The following basic requirements shall be met in ensuring nuclear and radiation safety:
- 32.3.1. Should not generate any exposure without any grounds;
- 32.3.2. Maintain exposure dose at the minimum level of appropriate extent;
- 32.3.3. Should not expose population, including employees dealing with radiation to exposure dose exceeding fixed limit.

Article 33. Basic requirements for exploitation of nuclear materials

- 33.1. It shall be prohibited to process, produce, acquire in any other way, possess and store nuclear materials for armament purpose on the territory of Mongolia.
- 33.2. It shall be prohibited to penetrate through borders of Mongolia and transport on transit nuclear material for armament purpose.
- 33.3. The State Administrative Body shall provide registration and control of nuclear materials with professional management, and supervise their execution.
- 33.3. The Government shall adopt the procedures on registration and control of nuclear material.

Article 34. Basic requirements for exploitation of radioactive minerals

- 34.1. It shall be prohibited to conduct exploration, exploitation, export, import, transportation of radioactive minerals, radioactive waste burial and conduct land reclamation after the exploitation of radioactive minerals without permission of the State Inspector.
- 34.2. The citizen and entity conducting activities specified in Article 34.1 of this Law shall undertake measures at its expense for protecting human health and environment from negative impact in the course of execution of such activities.

Article 35. Basic requirements for exploitation of nuclear energy

- 35.1. It is prohibited to produce nuclear energy without a measuring instrument approved in accordance with Article 35.2 of this Law.
- 35.2. The license holder undertaking activities specified in Article 15.1.2 of this Law shall have the measuring instruments stipulated in Article 35.1 of this Law annually approved by the State Administrative Body in charge of standardization issues.
- 35.3. The license holder undertaking activities specified in Article 15.1.2 of this Law shall report to the State Administrative body the quantity of nuclear energy produced in the previous month within 10th calendar date of each month.

Article 36. Basic requirements for exploitation of radiation generator

- 36.1. The following requirements shall be met for exploitation of radiation generator:
- 36.1.1. Inform and get registered at radiation monitoring authority and Central Intelligence Agency within 3 work days from the receipt of radiation generator;
- 36.1.2. Conduct activities connected with radiation at the special facility fully satisfying nuclear and radiation safety standards and approved by the State Inspector;
- 36.1.3. Undertake activities by meeting requirements of labor conditions and safe operation rules in the course of

exploitation of radiation generator;

36.1.4. Have internal rules on radiation safety, radiation protection program and contingency plan on measures to be taken during radiation accident suitable to specific characteristics of the activities associated with radiation reviewed and approved by the State Inspector, and duly comply with it;

36.1.5. Keep register of exploitation of radiation generator and submit inventory results made at the end of year, internal audit report and data within December 20th of each year to the State Administrative body;

36.1.6. Immediately inform to radial monitoring, emergency, intelligence and police authorities about accident and violation taken place during exploitation of radiation generator and undertake measures towards eliminating harmful damages of accident and ensuring safety in conformity with related legislations;

36.1.7. Enroll employees dealing with radiation in training and re-training conducted in line with special programs licensed by radiation monitoring authority, and get appropriate certificate.

36.1.8. Shall be provided with the measuring instruments meeting the quality assurance and measuring requirements.

36.2. It shall be prohibited to exploit radiation generator with no concrete name and type, characteristics, activeness size, application purpose and methodology.

Article 37. Basic requirements for export and import of nuclear material and radiation generator

37.1. It shall be appropriate to meet the following requirements in exporting nuclear material and radiation generator:

37.1.1. Have the nuclear material under transfer be covered by international guarantee;

37.1.2. The receiving country shall have all nuclear material and nuclear equipment under exploitation be covered by international guarantee;

37.1.3. Prior transferring to a third country the nuclear material and radiation generator taken by transfer before, the State Administrative Body shall be informed and appropriate permission be taken from it.

37.1.4. Physical protection of nuclear material shall meet the requirements of Vienna Convention on physical protection of nuclear material;

37.1.5. The country receiving nuclear material shall send confirmation about using it solely for peaceful purpose;

37.1.6. Send to the State Administrative Body information on the end-user to receive nuclear material, relevant confirmation of and information on exploitation for peaceful purposes.

37.2. It shall be appropriate to meet the following requirements in importing nuclear material and radiation generator:

37.2.1. The import of nuclear material and radiation generator prohibited by the laws of Mongolia shall not be undertaken;

37.2.2. Importer of nuclear material and radiation generator shall have the license fully meeting the requirements of legislation of Mongolia and issued by authorized organizations in accordance with relevant legislation;

37.2.3. The end-user of imported nuclear material and radiation generator shall send to the State Administrative Body information verifying its administrative, management and technical capacities, and sufficient reserves and opportunities to safely exploit particular material.

Article 38. Basic requirements for storing nuclear material and radiation generator

38.1. Nuclear material and radiation generator shall be stored in the special storing facility specified in the license.

38.2. Ownerless, abandoned or acquired radioactive material shall be transferred free of charge to the special facility specified in Article 11.3 of this Law by the decision and under control of appropriate authorized body.

38.3. Radiation generator no longer meeting the technological and safe operation requirements or not being exploited shall be stored at the special facility specified in Article 11.3 of this Law.

Article 39. Basic requirements for transportation of nuclear material and radiation generator

39.1. The procedure of safe transportation of radioactive material shall be complied with rules of transporting radioactive materials.

39.2. Inter-state transportation of nuclear material and radiation generator, instrument and equipment with radiation generator shall be executed in conformity with requirements of relevant international agreements, negotiations and rules.

39.3. The Government shall adopt the procedure on secure transportation of radioactive minerals.

Article 40. Basic requirements for selling and purchasing nuclear material and radiation generator

40.1. Legal bodies other than those holding a license to undertake activity specified in Article 15.1.3 of this Law shall be prohibited to sell and purchase nuclear material.

40.2. Legal bodies other than those holding a license to undertake activity specified in Article 15.1.8 of this Law shall be prohibited to sell and purchase radiation generator, instrument and equipment with radiation generator.

Article 41. Basic requirements for penetrating nuclear material and radiation generator through state borders

41.1. Legal bodies other than those holding a license to undertake activity specified in Article 15.1.4 of this Law shall be prohibited to penetrate nuclear material through state border.

41.2. Legal bodies other than those holding a license to undertake activity specified in Article 15.1.4 of this Law shall be prohibited to penetrate radiation generator, instrument and equipment with radiation generator through state border.

Article 42. Basic requirements for disposing, eliminating and burying nuclear and radioactive material

42.1. International and national standards, rules and procedures shall be complied with disposal, elimination and burial of nuclear and radioactive material.

42.2. It shall be prohibited to conduct burial and disposal of nuclear and radioactive material without conclusion and special permission of the State Inspector.

42.3. The following basic requirements shall be met in liquidation and burial of radioactive waste:

42.3.1. International and national standards, rules and procedures shall be strictly adhered in liquidation and burial of radioactive waste;

42.3.2. Acts on liquidation and burial of radioactive waste shall be carried out by the permission of authorized organization and under the control of the State Inspector.

42.4. The Government shall adopt safety rules on waste management created from activities related to nuclear facility and radiation.

Article 43. Basic requirements for occupational exposure

43.1. The employee dealing with radiation shall be included in the individual dose control of occupational exposure.

43.2. Organization executing occupational exposure control shall keep in archive the unified record of individual dose for 50 years.

43.3. It shall be prohibited to expose the employee dealing with radiation to exposure exceeding the dose limit specified by radiation safety standard.

43.4. The employee dealing with radiation shall have the right to demand, refuse to work and issue complaint to the administration in respect of ensuring radial protection and safety requirements, and normal working conditions.

43.5. The employee dealing with radiation shall be under regular medical control of diseases deriving from occupation and rendered medical service.

43.6. In case of need the pregnant woman dealing with radiation shall have the right to change her work conditions as specified in Article 139 of the Labor Law¹². This change shall not become the grounds for dismissal.

43.7. It shall be prohibited to recruit for work with radiation a person under 18 years.

43.8. Work conditions of employees dealing with radiation involved in individual dose of occupational exposure control shall relate to abnormal labor conditions.

Article 44. Basic requirements for medical exposure

44.1. The following basic requirements shall be put for medical exposure:

44.1.1. Comply with this law, radiation safety standards and other related rules and regulations in conducting diagnosis and treatment by radiation generator;

44.1.2. Juridical person making diagnosis and treatment by radiation generator shall conduct regular adjustment and

quality control over the instrument and equipment under use;

44.1.3. Acquire permission from parents, care taker, guardian when conducting diagnosis and treatment of children by radiation generator;

44.1.4. Prohibit exposure of patients to exposure exceeding the dose limit specified in the radiation safety standards during treatment and diagnosis;

44.1.5. Protect other parts of the body of patients during treatment and diagnosis, and provide patient's care takers and assisting staff with individual protection means;

44.1.6. Ensure conditions for not exposing other patients to unnecessary extra exposure during treatment and diagnosis.

CHAPTER SIX

Prevention from nuclear and radiation accident, compensation of damage

Article 45. Prevention from nuclear and radial accident

45.1. The license holder shall have the plan for prevention from nuclear and radiation accident, elimination of accident harms and implementation of measures to ensure safety and be responsible for the expenses for implementing the plan.

45.2. The State Administrative Body shall organize activities to determine reason and level of radiation accident, and eliminate harms of accident in cooperation with related authorized bodies under the supervision of the State Emergency Commission.

45.3. The Government shall be responsible for expenses related to elimination of harms of nuclear and radiation accident affecting broad masses.

Article 46. Compensation of damages caused by nuclear and radiation accident

46.1. Provided human life, health, property and environment are damaged due to the breach of Nuclear Energy Law, the person responsible for the fault shall compensate the damage.

46.2. In the event specified in Article 46.1 of this Law, the license shall be revoked and shall not be issued again for the period of 30 years.

CHAPTER SEVEN

International guarantee and control over implementation of the nuclear energy legislation

Article 47. Use of international guarantee

47.1. The license holder undertaking activities specified in Articles 15.1.1-15.1.4 of this Law shall cooperate with the International Atomic Energy Agency in respect of using international guarantee in the following directions:

47.1.1. Shall submit through the State Administration Body the information related to the quantity, amount, modification, loss, depreciation and transfer of nuclear material within determined time;

47.1.2. Shall render assistance and support to the inspection work of experts and inspectors of the International Atomic Energy Agency in accordance with the Safeguard Agreement and shall fulfill requirements related to elimination of violations revealed during the inspection and termination of activities breaching laws.

Article 48. Professional control over implementation of nuclear energy legislation

48.1. The State Administration Body and authorized State Inspector shall put control over implementation of the legislation on nuclear energy at the extent of their power.

Article 49. Public control over implementation of nuclear energy legislation

49.1. The public control over implementation of nuclear energy legislation shall be executed by the citizens and legal persons at the extent of their power.

CHAPTER EIGHT

Miscellaneous

Article 50. Responsibility to be assumed by violator of nuclear energy legislation

50.1. If a breach of the nuclear energy legislations does not constitute a criminal offence, an authorized state inspector, whilst taking into account the circumstances of the infringement, shall impose the following penalty on the guilty person:

50.1.1. A Tugrug penalty equal to 5-10 times fold of minimum labor wage shall be imposed on the official, 10-15 times on the business entity that has violated requirements related to ensuring nuclear and radiation safety specified in Article 5 of this Law and its activities shall be terminated temporarily or partly for 3 months, the licenses shall be suspended;

50.1.2. A Tugrug penalty equal to 1-3 times fold of minimum labor wage shall be imposed on the citizen, 3-5 times on the official and 5-10 times on the business entity that has not submitted necessary information and report or has not involved employee dealing with radiation to individual dose control of occupational exposure.

50.1.3. A Tugrug penalty equal to 5-10 times fold of minimum labor wage shall be imposed on the citizen, 10-15 times on the official and 15-25 times on the business entity that has conducted activities without license, and violated clauses specified in the license, has not taken measures to eliminate harms caused by those activities, has not informed the State Administrative Body and other relevant authorities regarding the radiation accident and violations, and the income gained and products produced illegally shall be confiscated.

50.1.4. In case of false information submittal to the State Administrative Body, change of the name and type of generator, creation of damages to population, society and environment, or creation of serious conditions for cause of damages, repeated cause of serious violations and non-elimination of revealed violations, the activities shall be terminated temporarily or partially and the license shall be suspended.

50.1.5. A Tugrug penalty equal to 5-8 times fold of minimum labor wage shall be imposed on the official and 8-10 times on the business entity if the liabilities specified in Article 28 of this Law have not been met, and the damages shall be compensated.

50.1.6. A Tugrug penalty equal to 1-3 times fold of minimum labor wage shall be imposed on the citizen and 3-5 times on the official and 5-10 times on the business entity that has illegally created obstacles for the license holder to implement its rights granted by the legislation.

50.1.7. A Tugrug penalty equal to 10-15 times fold of minimum labor wage shall be imposed on the license holder that has concealed the quantity of mined radioactive minerals, established agreement for this purpose, has groundlessly sold radioactive minerals at low price, lowered the sales income intentionally or intended to lower, and the quantity of mined radioactive minerals, and sales income shall be calculated and the price difference shall be compensated to the State Budget.

50.1.8. A Tugrug penalty equal to 5-10 times fold of minimum labor wage shall be imposed on the official, 10-15 times on the business entity that has destroyed intentionally the samples and original materials taken from the exploration area.

50.1.9. A Tugrug penalty equal to 3-5 times fold of minimum labor wage shall be imposed on the official and 5-10 times on the business entity that has not met official requirements of the State Inspector, has not informed and registered the receipt of the radiation generator with the State Administrative body within determined time and has not extended the license in accordance with relevant procedures.

50.2. The official and the State Inspector who seriously breached his liabilities assumed by law through concealing illegal act of citizen and legal person who violated legislation on nuclear energy or accepting bribe and revealing individual secrets shall be charged with relevant disciplinary, administrative, property and criminal responsibility.

Article 51. Validation of law

51.1. This law shall come into force from 15 August 2009.