



## LAW OF MONGOLIA

January 28, 2000

Ulaanbaatar city

### ON THE FIGHT AGAINST ALCOHOL / Revised version /

#### CHAPTER ONE GENERAL PROVISIONS

##### **General provisions Article 1. The purpose of the law**

1.1. The purpose of this law is to regulate relations related to the production, import, sale / service / consumption of alcohol, use, fight against alcoholism and prevention of alcoholism.

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##### **Article 2. Legislation on combating alcoholism**

2.1. Legislation on combating alcoholism shall consist of this law and other legislative acts.

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##### **Article 3 Alcohol**

3.1. Alcohol produced from food raw materials, all types of vodka, wine, beer and dairy products containing more than 2 percent ethyl alcohol shall be considered as alcoholic beverages.

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#### CHAPTER TWO ALCOHOL PRODUCTION, TRADE, SERVICES AND IMPORT

##### **Article 4. Permission to engage in production, trade and services**

4.1. The license to produce alcoholic beverages other than vodka distilled from dairy products shall be issued and revoked by the Government based on the opinion of the state central administrative body in charge of food matters and the specialized inspection agency.

The state central administrative body in charge of food matters shall perform the functions of renewing, suspending, renewing and supervising the license for the production of alcoholic beverages.

Aimag and capital city governors shall issue, extend and revoke licenses for the production of vodka distilled from dairy products based on the opinion of the specialized inspection agency.

*[/ This part was amended according to the law dated November 20, 2003 /](#)*

4.2. The permit shall specify the type of alcohol, means of production, raw materials, location and capacity of the plant.

*[/ This part was amended according to the law dated November 20, 2003 /](#)*

4.3. Aimag and capital city Citizens' Representatives' Khurals shall approve the procedure for issuing permits to sell and serve alcohol based on the opinion of citizens of the respective territories. Aimag and capital city governors and governors of free zones shall issue licenses to sell and serve alcoholic beverages in accordance with the procedures approved by the aimag and capital city Citizens' Representatives' Khurals.

*[/ This part was amended according to the law dated November 30, 2001 /](#)*

*[/ This part was amended according to the law dated February 12, 2015 /](#)*

*[/ This part was amended according to the law dated June 11, 2015 /](#)*

4.4. Alcoholic beverages that meet the requirements of state technical regulations and standards, certify quality and safety, and have a certificate of conformity shall be supplied for trade and services.

[\*/ This part was amended according to the law dated November 20, 2003 /\*](#)

4.5. New licenses for alcohol production will be issued on a project basis. The state central administrative body in charge of food matters shall approve the procedure for project selection and production control.

[\*/ This part was added by the law in 11 November 2001 /\*](#)

[\*/ This part was amended according to the law dated November 20, 2003 /\*](#)

4.6. An applicant for a license to produce alcoholic beverages other than vodka distilled from dairy products shall submit the following documents in addition to the documents specified in Article 11 of the Law on Business Licensing:

4.6.1. alcohol industry project documents;

4.6.2. financial statements for the last 3 years certified by an auditing organization;

4.6.3. conclusion of the professional inspection organization on the factory premises.

4.6.4. Tax authority's proposal and reference.

[\*/ This provision was added by the law in 20 November 2003 /\*](#)

[\*/ This part was added by the law in 11 November 2001 /\*](#)

4.7. Licenses for the production of alcohol shall be issued for a period of 3 years, and licenses for the import, sale and service of alcohol shall be issued for a period of 2 years and shall be extended for the same period.

[\*/ This part was added by the law in 20 November 2003 /\*](#)

4.8. Law of the license renewal of the business operating license manufacture, importation and sale of alcohol, per serving 1 6.3, the procedure set forth in Article 6.4.

[\*/ This part was added by the law in 20 November 2003 /\*](#)

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#### **Article 5 Production and import procedures**

5.1. It is prohibited to produce alcohol from non-food raw materials or without the permission of the competent authority.

5.2. Alcohol production shall be carried out in accordance with the approved standards, provided that the inputs and outputs of the line are metered and equipped in accordance with the technological procedures, hygiene and sanitation requirements.

[\*/ This part was amended according to the law dated November 20, 2003 /\*](#)

5.3. The alcohol label shall indicate the trademark, name, country standard, composition, hardness, type, place of manufacture, date, medical warning on the bottle, container and box, and the standard amount contained.

[\*/ This part was amended according to the law dated November 20, 2003 /\*](#)

5.4. It is prohibited for a business entity with a license to engage in the production of alcohol to transfer the license or change the location of the plant.

5.5. It is prohibited to conduct alcohol production in kindergartens, schools of all levels, hospitals, students 'and students' classrooms and dormitories, apartments, their entrances and basements.

5.6. The Government shall approve the technical regulation document determining the quality and safety indicators of alcohol imported from abroad in accordance with Article 6.1 of the Law on Standardization, Technical Regulation and Accreditation of Conformity Assessment.

[\*/ This part was amended according to the law dated November 20, 2003 /\*](#)

[\*/ This part was amended according to the law dated December 21, 2017 /\*](#)

5.7. When approving the list of alcoholic beverages to be imported, the name, type, international standard, top grade and hardness of the alcohol shall be clearly indicated.

5.8. When importing products included in the list of imported alcoholic beverages, the samples shall be pre-analyzed by a professional sanitary inspection organization and certified by border and customs hygiene inspections.

[\*/ This part was amended according to the law dated December 21, 2017 /\*](#)

5.9. It is prohibited to import, sell or serve alcohol that is not included in the list of imported alcoholic beverages.

5.10. When importing, exporting or re-exporting alcohol, it shall be allowed to cross the state border only through the port designated by the central customs authority.

5.11. A business entity licensed to produce alcohol shall notify the tax authority of the name and packaging of the alcohol.

[\*/ This part was added by the law in 20 November 2003 /\*](#)

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#### **5<sup>1</sup> article. Procedures for distribution, distribution, consumption and control of alcohol**

5<sup>1</sup>.1. The members of the Government in charge of food, legal, financial, economic and health matters shall jointly approve the procedure for distribution, issuance, consumption and control of alcohol to be used for food and technical purposes.

[\*/ This article was added by the law in 20 November 2003 /\*](#)

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#### **Article 6. Procedures for sale and service**

6.1. It is prohibited to sell or serve alcohol without the permission of the Governor of the aimag or the capital city, or in places other than those specified in the permission.

[\*/ This part was amended according to the law dated November 30, 2001 /\*](#)

6.2. 5.1 of this law; 5.2; 5.3; 5.8; 5.9; It is prohibited to release alcohol for sale or service that has been produced or imported in violation of the procedure set forth in Article 5.10 or has not been inspected.

6.3. It is prohibited to transfer the permission to sell or serve alcohol to others, or to change the location of trade and services without prior notice to the authorized body that issued the permission.

[\*/ This part was added by the law in 20 November 2003 /\*](#)

6.4. Norms on the number and types of points of sale and service of alcohol shall be set by the state central administrative body in charge of trade taking into account the number of local population, scope of services, health and cultural organizations, and the location of students' dormitories.

[\*/ This part was added by the law in 20 November 2003 /\*](#)

6.5. Governors of aimags and the capital city and governors of free zones shall establish time limits for the operation of trade and service offices licensed to sell and serve alcohol in their respective territories.

[\*/ This section was added by the law in 6/11/2015 /\*](#)

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### **CHAPTER THREE Requirements for alcohol consumption**

#### **Article 7 It is prohibited to consume, sell or serve alcohol**

7.1. It is prohibited to consume, sell or serve alcohol in the following places:

7.1.1. government and non-government office premises;

7.1.2. office and production premises of a business entity other than a business entity licensed to serve alcohol;

7.1.3. kindergartens, schools of all levels, hospitals and sanatoriums;

7.1.4. classrooms and dormitories for students;

7.1.5. apartment entrances and basements;

7.1.6. streets, squares and gardens;

7.1.7. places other than authorized points of trains, motor transport, waterways and airports;

7.1.8. in places other than the authorized points of public transport, food and commodity markets, trade and service areas.

7.2. The following shall be prohibited in places where the production, sale and service of alcohol is permitted:

7.2.1. to employ a person under the age of 18 in the production, transportation, storage, sale, sale and service of alcoholic beverages;

7.2.2. Selling or serving alcohol to a person under the age of 21 or intoxicated.

[\*/ This part was amended according to the law dated November 20, 2003 /\*](#)

7.3. The following people are not allowed to drink alcohol:

7.3.1. a person driving a vehicle;

7.3.2. A person under the age of 21.

[/ This part was amended according to the law dated November 20, 2003 /](#)

7.4. It is prohibited to abuse alcohol, to intoxicate others, as well as to seduce a person under the age of 21 to drink alcohol.

[/ This part was amended according to the law dated November 20, 2003 /](#)

7.5. It is prohibited to reward or replace salaries with alcohol.

7.6. It is prohibited to imitate, illegally use or sell alcohol labels.

7.7. It is prohibited to operate a restaurant or nightclub with a license to serve alcohol in kindergartens, schools of all levels, hospitals, factories, business entities, organizations, students and pupils' classrooms and apartments, apartments and their basements (except for deliberately decorated).

~~7.8. It is prohibited to sell or serve alcohol in a trade and service center licensed to sell and serve alcohol from 00 to 06 o'clock.~~

[/ This part was added by the law in 20 November 2003 /](#)

[/ This part was repealed by the law in force since June 11, 2015 /](#)

7.9. It is prohibited to purchase alcohol with the funds of state-owned and partly state-owned business entities and organizations financed from the state and local budgets.

[/ This section was added by the law in 6/11/2015 /](#)

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#### **Article 8 Prohibit the use of alcohol**

8.1. It is prohibited for parents, relatives, guardians and teachers of a school to initiate, organize housing or provide financial assistance to students under the age of 18.

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### **CHAPTER FOUR THE FIGHT AGAINST ALCOHOL**

#### **Article 9. Anti-alcohol advertising**

9.1. The state central and local administrative organizations, health, media, culture and education organizations shall be obliged to conduct all kinds of advertisements on combating alcoholism and raising public awareness of its harmful effects.

9.2. It is prohibited to advertise alcohol in the following ways:

9.2.1. to issue alcohol in the form of mass media, movies, internet, billboards, posters, advertisements, passenger tickets and other physical means by using the name, symbol and image of alcohol and alcohol industry;

9.2.2. To teach the person specified in 7.3.2 of this Law to consume alcohol;

9.2.3. A producer of alcoholic beverages to produce alcoholic beverages with the same name as its business entity;

9.2.4. A legal entity engaged in the production, import and export of alcohol and selling alcohol shall sponsor cultural, artistic, sports and other public events in order to promote its products, publicize its name and increase sales revenue, and make various donations. to provide assistance and scholarships;

9.2.5. To use alcohol and alcoholic beverages, pictures, names and symbols on goods, clothes and consumer items;

9.2.6. To conduct various lotteries, lotteries and any kind of incentives for the production, import, trade and services of alcohol.

[/ This part was amended according to the law dated November 20, 2003 /](#)

9.2.7. To advertise wine, beer and vodka containing up to 18 percent ethyl alcohol, except as provided in Article 14<sup>1</sup> of the Law on Advertising.

[/ This part was added according to the law dated June 25, 2009 /](#)

9.3. It is prohibited to bring alcohol advertising materials across the state border.

[/ This part was added by the law in 20 November 2003 /](#)

9.4. Citizens, business entities and organizations may sponsor advertisements against the harmful effects and consumption of alcohol.

[/ This part was added by the law in 20 November 2003 /](#)

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#### **Article 10. To inform the public about non-compliant alcohol**

10.1. Information on the harmful effects of non-compliant alcohol, which has been found to be harmful to human life and health by inspections by the competent authorities, shall be promptly announced to the public through the mass media.

10.2. All types of media outlets are obliged to receive and disseminate information on the dangers of non-compliant alcohol to the public without hindrance.

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#### **Article 11 Forced rehabilitation**

11.1. Compulsory rehabilitation of a person who has abused alcohol shall be regulated by law.

[/ This article was re-edited by the Law of November 20, 2003 /](#)

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#### **Article 12 Treatment**

12.1. If a person who has become addicted to alcohol applies to a medical institution on a voluntary basis on his / her own initiative, he / she shall be treated as usual.

12.2. The law on compulsory treatment of alcoholics and drug addicts shall be regulated by the law on compulsory treatment of persons who have been diagnosed with alcoholism by a medical institution but have avoided voluntary treatment by a court decision.

[/ This part was amended according to the law dated November 15, 2018 /](#)

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#### **Article 13 Support community initiatives to combat alcoholism**

13.1. Governmental and non-governmental organizations have a responsibility to support community initiatives aimed at combating alcoholism.

13.2. The content of general education must include the knowledge to be acquired against the harms and consumption of alcohol.

[/ This section was added by the law in 6/11/2015 /](#)

13.3. Business entities and organizations shall be obliged to take certain measures to eliminate the causes and conditions of alcoholism within their organization and within the scope of their activities, and to inform and promote relevant legislation to their employees in order to combat and prevent alcoholism.

[/ This section was added by the law in 6/11/2015 /](#)

13.4. The state policy shall support non-governmental organizations engaged in combating alcoholism and activities against the harmful effects and consumption of alcohol.

[/ This section was added by the law in 6/11/2015 /](#)

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#### **13<sup>1</sup> article. Analyze, sell and dispose of confiscated alcohol**

13<sup>1</sup>.1. Alcohol confiscated as a result of crimes or violations specified in the Criminal Code or the Law on Violations shall be analyzed by a state accredited laboratory. draw one of the following conclusions:

[/ This part was amended according to the law dated December 03, 2015 /](#)

13<sup>1</sup>.1.1. can be used for food as it meets the requirements of hygienic safety indicators and standards;

13<sup>1</sup>.1.2. use for technical and other non-food purposes; 13<sup>1</sup>.1.3. does not meet the requirements for use for the purposes specified in Articles 13<sup>1</sup>.1.1 and 13<sup>1</sup>.1.2 of this Law.

13<sup>1</sup>.2. The Government shall approve the procedure for confiscation, analysis and sale of alcohol as state revenue.

13<sup>1</sup>.3. The procedure for destruction of alcohol specified in 13<sup>1</sup>.1.3 of this Law shall be approved jointly by the member of the Government in charge of legal affairs, the Chief Justice of the Supreme Court and the General Prosecutor.

[/ This part was amended according to the law dated August 17, 2012 /](#)

[/ This article was added by the law in 20 November 2003 /](#)

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#### **13<sup>2</sup> Article. Alcohol Foundation**

13<sup>2</sup>.1. For the purpose of combating and preventing alcoholism, an Anti-Alcohol Fund (hereinafter referred to as "Fund") shall be established.

13<sup>2</sup> .2. The fund consists of the following sources:

13<sup>2</sup> .2.1. donations and grants provided by citizens, non-governmental organizations, business entities, as well as international and foreign organizations, citizens and stateless persons in support of the fight against alcoholism;

13<sup>2</sup> .2.2. Other income not inconsistent with the legislation of Mongolia.

13<sup>2</sup> .3. The composition and charter of the Fund Board shall be approved by the Government of Mongolia.

13<sup>2</sup> .4. The government may provide support for the foundation's activities as needed.

13<sup>2</sup> .5. Donations, grants and other income from citizens, governmental and non-governmental organizations, business entities, as well as international and foreign organizations, citizens and stateless persons in support of the fight against alcoholism shall be registered in the fund's account.

13<sup>2</sup> .6. The funds of the fund shall be used for the following purposes based on the decision of the foundation board:

13<sup>2</sup> .6.1. to conduct information, training and advocacy on legislation on combating and preventing alcoholism;

13<sup>2</sup> .6.2. To study the causes and conditions of crimes and violations committed under the influence of alcohol, to support activities to reduce, prevent and control alcohol consumption and its negative consequences;

*[/ This part was amended according to the law dated June 11, 2015 /](#)*

13<sup>2</sup> .6.3. Harm of alcohol, harm to human health, family, community and society, prevention of it and formation of rational and cultural consumption of alcohol in the public;

13<sup>2</sup> .6.4. Improve and increase access to services for people with alcoholism;

*[/ This part was amended according to the law dated June 11, 2015 /](#)*

13<sup>2</sup> .6.5. To support governmental and non-governmental organizations, business entities and citizens operating in the field of combating and preventing alcoholism;

*[/ This part was amended according to the law dated June 11, 2015 /](#)*

13<sup>2</sup> .6.6. To support activities to combat and prevent crimes and violations committed under the influence of alcohol.

*[/ This provision was added by the law in 11 June 2015 /](#)*

*[/ This article was added by the law in 20 November 2003 /](#)*

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## CHAPTER FIVE Other

### **Article 14 Control over production, import, trade, services and consumption**

14.1. Control over the production of alcohol shall be exercised by the state administrative center in charge of food matters and the specialized inspection body specially authorized by law at the aimag and capital city Governor's Office.

14.2. Control over the import of alcohol shall be exercised by the customs and border hygiene inspection service.

14.3. The following organizations and officials shall monitor the implementation of the regulations on sale, consumption and serving of alcohol within the powers granted by this law and other legislative acts:

14.3.1. Governors of all levels;

14.3.2. police;

14.3.3. management of a business entity or organization;

14.3.4. authorized professional inspection body;

14.3.5. non-governmental organization for consumer protection.

14.4. Relevant organizations and officials shall be obliged to immediately comply with the legal requirements set by the organization and official authorized to control the production, sale and import of alcohol.

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### **Article 15 Get information about violations**

15.1. The authorized state body may obtain information from a citizen on a fee for violations related to illegal production, import and sale of alcoholic beverages. Article 35 of the Law on Prevention of Crime and Violations shall be followed in obtaining paid information from citizens.

*[/ This part was amended according to the law dated June 06, 2019 /](#)*

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#### **Article 16. Liability for violators**

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

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

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

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**CHAIRMAN OF THE PARLIAMENT OF MONGOLIA R. GONCHIGDORJ**