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CRIMINAL CODE OF MONGOLA

(New edition)

GENERAL PART

CHAPTER ONE

GENERAL PROVISIONS

Article 1.1 Purpose of the Law

1. Criminal Code shall intend to protect human rights and freedoms assured by in the Constitution of Mongolia, public and national interests, the constitutional order and national and mankind security from criminal encroachments and prevent from crimes.

Article 1.2 Principle of Legality

1. Crimes and criminal responsibility to crimes shall be defined by in this Law.

(This paragraph was modified by the Law of May 11, 2017)

2. Application of the Criminal Code by analogy shall be prohibited.

3. Law on Amendments to the Law that newly determines actions or inactions as crimes, and recently sets types of and scopes of criminal responsibility shall be inalienable part of this Law.

(This paragraph was modified by the Law of May 11, 2017)

4. Definitions and norms specified in the laws of Mongolia and international treaties, which Mongolia has ratified in its laws and is party to, shall be adhered to in determination of terms and concepts of this law.

5. Administrative law norms may be applied in interpretation of terms and concepts of this law.

Article 1.3 Principle of Justice

1. Criminal responsibility shall correspond to the nature and degree of the social danger of the crime committed by the individual or legal person, and the form of the offence.

(This paragraph was modified and edited by the Law of May 11, 2017)

2. In indictment and imposition of penalty, an individual shall not be discriminated by his nationality, language, race, age, sex, origin, property status, job position, official status, religion, opinion, sexual orientation, education and disability status.

3. Criminal responsibility shall be imposed only to person committed a crime. Criminal responsibility shall not be applied to other persons.

(This paragraph was modified by the Law of May 11, 2017)

4. Imposition of a criminal responsibility to individuals committed crime on behalf of a legal person for the interests of the legal person shall not lay ground for release of the legal person from the criminal responsibility.

(This paragraph was modified by the Law of May 11, 2017)

5. It shall be imposed one punishment to one crime.

Article 1.4 Principle of guilt

1. Criminal responsibility shall be subjected on the persons whose guilt has been established by court.

(This paragraph was modified by the Law of May 11, 2017)

2. Causing the harm specified in this Code without guilt shall not be subject to criminal responsibility.

(This paragraph was modified by the Law of May 11, 2017)

3. If a person committed a crime did not understand the dangerous character of his action or inaction to the society, was not able to understand due to circumstances of the case or was not able to predict potential harmful consequences to the society, did not have to know thereof, it shall be deemed that he caused harm without guilt.
(This paragraph was edited by the Law of May 11, 2017)

4. Nobody shall be imposed a criminal responsibility for his opinion or beliefs.
(This paragraph was edited by the Law of May 11, 2017)

Article 1.5 Enforceability of the Criminal Code in the territory of Mongolia

1. Individuals committed crime in the territory of Mongolia shall be imposed criminal responsibility pursuant to this Code.

(This paragraph was amended by the Law of May 11, 2017)

2. Individuals committed crime in the territory of overseas diplomatic representative included to the territory of Mongolia, on the board of ships or aircrafts of Mongolia located in water area or air space shall be imposed criminal responsibility pursuant to this code.

(This paragraph was amended by the Law of May 11, 2017)

3. If persons of the foreign countries with privileges of diplomatic immunity commit a crime in the territory of Mongolia, the question whether to impose a criminal responsibility to him or not shall be decided in compliance with the international treaty of Mongolia

(This paragraph was amended by the Law of May 11, 2017)

4. Provided in this code, legal entities committed a crime in the territory of Mongolia shall be imposed criminal responsibility.

(This paragraph was amended by the Law of May 11, 2017)

Article 1.6 Enforceability of the Criminal Code outside the territory of Mongolia

1. If citizens of Mongolia and stateless persons residing permanently in Mongolia committed a crime specified in this Code in the territory of a foreign country but were not imposed criminal responsibility, they shall be imposed criminal responsibility pursuant to this Code.

(This paragraph was amended by the Law of May 11, 2017)

2. If it was imposed a criminal responsibility to the crime committed by the individuals mentioned in the first paragraph of this article in a foreign country, a court of Mongolia may mitigate or release from the sentence charged in compliance with this Code. Unless otherwise provided in the international treaty of Mongolia, the court may consider the individual not guilty in accordance with the grounds specified in this Code.

3. Unless otherwise provided in the international treaty of Mongolia, if a military servicemen of Mongolia performing service in a foreign country committed a crime, he shall be imposed a criminal responsibility pursuant to this Code.

(This paragraph was amended by the Law of May 11, 2017)

4. Foreign citizens and stateless persons shall be imposed a criminal responsibility for a crime committed out of the borders of Mongolia pursuant to this Code, provided they are specified in international treaties of Mongolia.

(This paragraph was amended by the Law of May 11, 2017)

5. If citizens of foreign countries or stateless persons who are not residing permanently in Mongolia committed a crime against interests of Mongolia out of borders of Mongolia and were not punished, they may be imposed criminal responsibility if it is provided in the international treaties of Mongolia.

(This paragraph was amended by the Law of May 11, 2017)

Article 1.7 Extradition of individuals committed a crime

1. Citizens of Mongolia shall not be extradited to a foreign country for investigation of a crime or sentencing.

2. Foreign citizens and stateless persons who have committed crimes outside the borders of Mongolia may be extradited to a foreign state for investigation of the crime or to serve their sentences in conformity with international treaties of Mongolia.

3. If a law of a foreign state provides for substantial grounds to impose capital punishment or torture, foreign state citizens or stateless persons shall not be extradited to that state for investigation and sentencing.

Article 1.8 Operation of Criminal Code in time

1. The indictment of an action or inaction as a crime, the type and scope of the criminal responsibility to impose to the accused individuals or legal persons shall be determined by the law that was in force at the time of committing the crime.
(This paragraph was amended by the Law of May 11, 2017)
2. The time of the completion of a criminal action or inaction shall be deemed to be the time of committing of a crime, regardless of the time of the occurrence of consequences.
3. If an action or inaction has continued for certain period of time, the time of completion of commitment of a crime or the time of seizure of a crime shall be included into the period of committing of a crime.

Article 1.9 Retroactive force of the Criminal Code

1. A law decriminalizing an action or inaction, or mitigating the penalty for it, improving the legal status of the person who has committed a crime shall be applied retroactively.
2. A law criminalizing an action or inaction, or increasing penalty for it, worsening the legal status of the person who committed a crime shall not be applied retroactively.
3. If according to a new law a penalty for certain crime is reduced, a court shall reduce the penalty of the previously sentenced person to the limits provided by in a new law.

Article 1.10 Time limit of prosecution of a crime

1. It shall be prohibited to draw as the accused if it is found that the below mentioned time has passed since the commission of a crime:
 - 1.1. It has passed one year since the commission of the crime for which the maximum imprisonment penalty time period specified in the Special part of this Code has been set for one and more years, or maximum penalty period of limitation of free travel right has been set for one or less year;
(This paragraph was amended by the Law of May 11, 2017)
 - 1.2. It has passed five years since the commission of the crime for which the minimum imprisonment penalty time period specified in the Special part of this Code has been set for more than one year and the maximum-for eight or less years, or the minimum penalty period of limitation of free travel right has been set for more than one year;
(This paragraph was modified and edited by the Law of May 11, 2017)
 - 1.3. It has passed twelve years since the commission of a crime for which the minimum imprisonment penalty time period specified in the Special part of this Code has been set for more than five years or less and maximum-for fifteen years or less;
(This paragraph was modified and edited by the Law of May 11, 2017)
 - 1.4. It has passed twenty years since the commission of a crime for which the minimum imprisonment penalty time period specified in the Special part of this Code has been set for more than twelve years and the maximum-for up to twenty years, and no life term imprisonment penalty has been imposed
(This paragraph was modified and edited by the Law of May 11, 2017)
2. Crime prosecution time limit shall be calculated from the date of committing of a crime until the court of first instance renders a decision. If the convicted or defendant has escaped, the calculation of the crime prosecution time limit shall be stopped from the date of escape and the calculation of the crime prosecution time limit shall be commenced from the date of arrest of the convicted or defendant, or his voluntary attendance for confession.
(This paragraph was modified and edited by the Law of May 11, 2017)
3. If a person committed a crime commits intentionally the crime once again before the end of the time mentioned in the first paragraph of this provision, the crime prosecution time limit shall be calculated over again from the date of the last crime committed for each crime respectfully.
4. The crime prosecution time limit shall not be applied to crimes with penalty for the life term imprisonment and crimes against security and peace of mankind.

CHAPTER TWO

CRIMES

Article 2.1 Concept and nature of crimes

1. Actions and inactions specified in the Special part of this Code that endanger the society shall be deemed crimes.

(This paragraph was modified and edited by the Law of May 11, 2017)

2. A fact of causing damage and harm due to guilty actions or inactions shall be deemed a crime, provided it is specified by in the Special part of this Code.

3. Actions or inactions, damage or harm or guiltiness not specified by in the Special part of this Code shall not be applied by analogy and deemed crimes.

4. The commission of an action or inaction, though formally containing the characteristics of any act provided by in the Special part of this Code, but where the personality of the offender, scopes of the social danger of the action or inaction have caused no significant damage and harm to rights protected by in this Code, shall not be deemed a crime.

(This paragraph was added by the Law of May 11, 2017)

Article 2.2 Criminal action or inaction

1. Special part of this Code shall specify actions or inactions to be considered as crimes.

2. Reckless actions or inactions shall be deemed crimes, provided they are specified by in the Special part of this Code.

(This paragraph was modified and edited by the Law of May 11, 2017)

3. If characteristics of a crime specified in the Special part of this Code comfy with several actions or inactions, it shall be considered as a commission of a single continuous crime.

4. If characteristics of several crimes specified in the Special part of this Code comfy with a single action or inaction, it shall be considered as a commission of several crimes.

Article 2.3 Guilt

1. Guilt shall be of intentional or unintentional character.

2. Deliberate commission of an action or inaction being aware of its illegal character, and deliberately causing harm or damage shall be deemed an intentional crime.

(This paragraph was amended by the Law of May 11, 2017)

3. A crime shall be deemed as committed through recklessness if a crime has been committed though the offender has foreseen possible harm or damage of his action or inaction, but thoughtlessly counted on their prevention, or harm or damage has been caused due to unaware though the offender must have foreseen or should have been able to foresee such possible consequences.

Article 2.4 Mixed forms of Guilt

1. Causing recklessly damage or harm through an action or inaction shall be considered as mixed form of guilt.

2. Characteristics of crimes committed in mixed forms of guilt, their types and scope of penalty shall be specified in the Special part of this Code.

Article 2.5 Damage and harm due to a crime committed

1. Consequences affected directly the human life, health, property, other rights and freedoms, public and national interests and security due to a crime specified in the Special part of this Code shall be deemed harm of a crime.

2. Consequences affected due to commission of a crime specified in the Special part of this Code and causing damage shall be deemed a harm of a crime.

3. The term "Serious damage" specified in this Code shall mean damage caused to a property right of economic importance that composes the primary life source of a victim.

4. The amount of damage specified in this Code shall have the following meaning:

4.1. "large amount of damage" shall mean an amount equivalent to fifty thousand units of tugrugs and more;

4.2. "substantial amount damage" shall mean an amount equivalent to ten thousand units of tugrugs and more;

4.3. "small amount damage" shall mean an amount equivalent to three hundred units of tugrugs and less;

(This paragraph was modified and edited by the Law of May 11, 2017)

5. Court shall determine the damage and harm of a crime and define the amount of expenses to compensate real damages and eliminate consequences in money amount.

Legal meaning of terms: - the word "unit" specified in this Code shall have the meaning provided in part 3 of the article 5.3 of this Code.

(The Legal meaning of term of this paragraph was amended by the Law of May 11, 2017)

Article 2.6 Classification of crimes

1. A crime for which the Special part of this Code sets imposition of a penalty of imprisonment for minimum two years and more shall be deemed a grave crime.

2. A crime for which the Special part of this Code sets imposition of a penalty of imprisonment for maximum five years and less, or a crime for which the Special part of this Code does not set imposition of a penalty of imprisonment shall be deemed a minor crime.

(This article was amended by the Law of May 11, 2017)

Article 2.7 Preparation for a crime

(The number of this article was modified by the Law of May 11, 2017)

1. Looking for, obtaining, manufacturing, adjusting a weapon or means specially prepared for weapon purposes, arranging of conspiracy for a crime and creating conditions to commit a crime shall be deemed preparations for a crime.

2. It shall not be imposed any criminal responsibility for an action or inaction for preparation of a crime for which this Code specifies a penalty of up to three years of imprisonment.

(This paragraph was modified and edited by the Law of May 11, 2017)

3. If an action or inaction to prepare to a crime contains characteristics of the certain crime, it shall be imposed criminal responsibility for this crime.

(This paragraph was modified by the Law of May 11, 2017)

4. Court may impose a penalty not exceeding 1/3 of the maximum penalty for other crimes except those specified in second paragraph of this article taking in account the characteristics of the action or inaction for preparation to the crime and condition that offenders could not complete the commission of the crime.

(This paragraph was amended by the Law of May 11, 2017)

Article 2.8 Attempt to commit a crime, rebuttal to commit a crime

(The number of this article was amended by the Law of May 11, 2017)

1. Intentional action or inaction directed expressly towards the commission of a crime though not completed due to circumstances not pertaining to the desire of the respective person shall be deemed as an attempt to commit a crime.

2. Court shall impose a penalty not exceeding 2/3 of the prescribed in the Special part of this Code maximum penalty for that crime taking into account the attempt characteristics and a fact that the crime commission has not been completed.

3. A person who voluntarily rebuts to accomplish a crime though he has acknowledged the possibility to complete the commission of the crime, shall not be imposed criminal responsibility.

(This paragraph was modified and edited by the Law of May 11, 2017)

4. If actions or inactions that were committed before voluntary rebuttal to complete the crime contain characteristics of another crime, then the criminal responsibility shall be imposed for that crime.

(This paragraph was modified and edited by the Law of May 11, 2017)

CHAPTER THREE

COMPLICITY IN A CRIME

(The title of this Chapter was amended by the Law of May 11, 2017)

Article 3.1 Complicity in a crime

(The title of this article was amended by the Law of May 11, 2017)

1. Complicity shall mean deliberate joint participation of two and more persons in commission of a crime.

(This paragraph was amended by the Law of May 11, 2017)

2. Contractor, organizer, instigator, and accessory shall be deemed accomplices.

(This paragraph was amended by the Law of May 11, 2017)

3. Conspiracy to commit a crime, or voluntary joining by action though without reaching conspiracy, shall be deemed a joint participation in committing of a crime.

(This paragraph was amended by the Law of May 11, 2017)

Article 3.2 Contractor of a crime

1. A contractor shall be deemed a person who committed a crime specified in this Code himself in cooperation with others, using persons not reached legal age, or incapable persons, other persons not participated in commission of a crime and who were unaware of committing of a crime, life stock animals or other animals.
2. A co-contractor shall be deemed an official authorized to make a decision on behalf of a legal person, who made a decision and subsequent permission for the benefit of the legal person and had the others to commit a crime specified in this Code, or his actions or inactions matched to the characteristics of a crime specified in this Code.
3. A co-contractor shall be deemed an executive officer of a legal person who has executed a decision though was acknowledged of illegal character of that decision.

Article 3.3 Organizer of a crime

1. A person who has organized the commission of a crime, directed and planned its commission, allocated duties of co-contractors, and created an organized group shall be deemed an organizer.
2. An organizer of a crime shall be deemed a co-contractor of that crime.

Article 3.4 Instigator of a crime

1. An instigator shall be deemed a person who deliberately abetted or hired other persons in committing of a crime or made a crime committed. A person persuaded other persons to commit a crime through others shall be deemed an instigator.
2. An instigator shall be imposed a penalty not less than the penalty to the contractor who committed a crime in the result of the instigation.

Article 3.5 An accessory of a crime

1. A person who assisted others in committing of a crime promising beforehand shall be deemed an accessory of a crime.
2. Depending on duties and character of the action of an accessory, the court shall impose a penalty not exceeding the penalty specified in this Code for that crime within the scopes of the penalty to the contractor.

Article 3.6 Act in disagreement

1. Committing of a crime different from that which was agreed with co-contractor shall be deemed committing an act in disagreement.
2. Other co-contractors, who did not participate in committing of an act of crime in disagreement, shall not be imposed a penalty.

Article 3.7 Committing of a crime by a group

1. If a crime was committed deliberately by a group of two and more persons joined together, it shall be deemed committing of a crime by group.
2. Actions of contractors involved in committing of a crime by group shall be united, and a penalty shall be imposed differently depending on duties and participation of each contractor in the commission of that crime.

Article 3.8 Organized criminal group

1. A stable unity of three and more persons joined beforehand to commit permanently crimes to gain benefit shall be deemed an organized criminal group.
2. A person who created and directed an organized criminal group shall be imposed a penalty for creation and direction of the organized criminal group, and treated as the contractor of the crime likewise other members of the organized criminal group.
3. A member of an organized criminal group shall be imposed a penalty for membership in the organized criminal group and a crime committed by him.
4. A person joined to activities of an organized criminal group and committed a crime shall be considered as a member of the organized criminal group and imposed a penalty for crimes committed by him.

5. Imposition of a penalty to a person joined to activities of an organized criminal group and committed a crime shall not be constrained by a fact whether he created, directed that group, or other members of the group participated jointly in commission of a crime were imposed the penalty.

6. If a member of an organized criminal group made confession, or assisted in detection of a crime committed by the organized criminal group, or provided information, or co-operated with authorized organization, he shall be imposed a penalty taking in consideration his confession, or the penalty shall be mitigated or he shall be released from a penalty.

CHAPTER FOUR

CIRCUMSTANCES EXCLUDING THE CRIMINALITY

Article 4.1 Necessary Defense

1. An action of criminal character done against illegal or immediate attack threatening life and health of himself or relative persons shall not be deemed a crime.

2. Any person shall have a right to necessary defense irrespective of his professional and other training background or position and possibility to escape from dangerous attack, or apply for assistance.

3. Necessary defense shall be done when illegal attack of others has begun, or when it has become evident to begin. Actions done after the ending of the attack shall not be deemed necessary defense.

4. A counter action of a law enforcing officer authorized, pursuant to law, to hold fire arms, use physical force and special tools while performing duties, and/or a security officer authorized to hold fire arms, use physical force and special tools while performing duties, against a lawful action shall not be deemed necessary defense.

(This paragraph was modified by Law of May 11, 2017)

Legal meaning of terms: - term "relative" specified in this Code shall refer to a husband or wife, or life partner, father or mother, or grandparents, or birth / step / adopted child, or grandchildren, or birth brother or sister of the said person, or other relatives living together with him.

Article 4.2 Attacking with purpose to arrest and prevent

1. If an attacking action specified in this Code has been done necessarily with purpose to arrest a person escaped after commission of a crime, deliver him to the authorities and prevent criminal actions specified in this Code, but not exceeded the limits of norms of an arrest and prevention, it shall not be deemed a crime.

2. Attacking and inflicting harm by a law enforcing officer in breach of grounds and procedures of arrest and prevention specified in the law, when an offensive action does not expressly match to characteristics and extent of a crime and there appears no circumstance to inflict a harm, shall be deemed surpassing the extent of an arrest or prevention measures.

Legal meaning of terms: - term "law enforcing officer" specified in this Code shall refer to a police officer, or officers of intelligence agency, court decision implementing agency and state special security agency, or a legally authorized person, or an environmental inspector.

(The Legal meaning of term of this article was amended by the Law of May 11, 2017)

Article 4.3 Inflicting harm in extreme necessity situation

1. Committing actions of criminal character specified in this Code and inflicting harm not exceeding the extent of danger that might have occurred in circumstances, when elimination of danger toward interests defended by in this code by other means was impossible, shall not be deemed a crime.

2. An action exceeding the extent of harm that might have occurred shall be considered as surpassing the extent of extreme necessity situation.

Article 4.4 Physical and psychological coercion

1. Action or inaction of criminal character specified by in this Code that has been done in the result of threatening to inflict physical or psychological coercion, or harm and damage to the rights and interests of the person, his family members, other people shall not be considered as a crime.

2. A person who forced others to commit a crime through physical and psychological coercion shall be deemed a contractor of a crime.

3. Committing a crime expressly exceeding the threat of danger by other persons shall not be considered as being under coerce.

Article 4.5 Reasonable risk

1. Inflicting damage to the rights and interests protected by law in the course of production and research works for the social beneficial outcomes, though the measures to prevent from risks provided in the law and standards have been taken, shall not be deemed a crime.

2. Taking risk in dangerous circumstances threatening to inflict harm to human lives and leading to a mass or natural disaster shall not be considered as a reasonable risk.

(This paragraph was amended by the Law of May 11, 2017)

Article 4.6 Execution of Order or Instruction

1. Infliction of harm to legally protected interests shall not be qualified as an act of crime provided it was caused by a person enrolled in military service or law enforcement work, who was unable to know or did not know of an illegality of an order, and acting in execution of a verbal or written order or instruction binding on him. Criminal responsibility for infliction of such harm shall be borne by a person who rendered illegal order or instruction.

(This paragraph was modified by the Law of May 11, 2017)

2. If a military personnel or law enforcement agency officer intentionally executes expressly illegal orders or instructions to commit actions or inactions of criminal character specified in this Code, though it is at his direct discretion and pertains to his duty and authority, the military personnel or law enforcement agency officer shall be deemed a contractor of that crime, and the official rendered the order or instruction shall be deemed a contractor who committed that crime using others.

(This paragraph was modified by the Law of May 11, 2017)

3. In case of failure to execute expressly illegal order or instruction the person rendered the order or instruction, the action of that person shall be deemed an attempt to commit a crime.

CHAPTER FIVE

TYPES AND PURPOSE OF CRIMINAL RESPONSIBILITY

(The title of this chapter was modified by the Law of May 11, 2017)

Article 5.1 Purpose of the criminal responsibility

1. Purpose of the criminal responsibility shall be to punish a person or legal person committed a crime, restore rights breached due to a crime, compensate damage, prevent from a crime, and adjust a person committed a crime to a social life.

2. Criminal responsibility shall be composed of penalties and compulsory actions.

3. A person shall bear criminal responsibility in compliance with grounds and procedures specified in this Code if he has reached an age to be responsible for a crime and be capable at the moment of committing a crime.

4. A legal person shall bear criminal responsibility provided it has been specified by in the Special part of this Code.

5. A legal person shall bear criminal responsibility in compliance with grounds and procedure specified by in this Code taking into account the circumstances of committing of a crime, character of a crime, and amount of damage and harm.

(This article was modified and edited by the Law of May 11, 2017)

Article 5.2 Types of penalties

1. A person committed a crime shall be imposed the following penalties:

1.1. fine;

1.2. community service;

1.3. limitation of free travel right;

1.4. imprisonment;

1.5. deprivation of rights.

2. Penalties such as fine, community service, limitation of free travel right, and imprisonment shall be applied as main penalties; deprivation of rights shall be applied as an additional penalty.

(This paragraph was modified and edited by the Law of May 11, 2017)

3. A special part of this Code shall provide for types and amount of main penalties to impose to a person committed a crime.

Article 5.3 Fine

1. Fine shall refer to an imposition of a charge in money equal to a fine unit (henceforth, "unit"), specified by in the Special part of this Code, to a person committed a crime.

(This paragraph was modified by the Law of May 11, 2017)

2. An amount of fine shall be an amount of tugrugs equal from one hundred units to forty thousand units.

3. One unit specified in this Code shall be equal to one thousand tugrugs.

(This paragraph was modified by the Law of May 11, 2017)

4. Court may settle to pay fine in parts for up to three years taking in account the assets, salary, other income obtaining possibilities of the convicted.

5. If the convicted did not complete payment in time prescribed by the court, a court shall replace the remaining amount of tugrugs of fine equal to 15 units by one year of imprisonment.

6. Community service, limitation of free travel and imprisonment shall not be replaced by fine.

Article 5.4 Community service

1. Community service refers to performance of free community work for the benefit of the community as a penalty imposed by a court to a person committed a crime.

2. A court shall impose a penalty to perform community service for not less four hours a day, totally for from two hundred and forty to seven hundred and twenty hours depending on circumstances of committing a crime, character of damage and harm caused and personality of a person committed a crime.

This paragraph was modified and edited by the Law of May 11, 2017)

3. A penalty to perform community service shall be for not more four hours a day, totally from one hundred and twenty to four hundred and eighty hours.

(This paragraph was deemed unenforceable by the Law of May 11, 2017)

4. If the convicted did not execute a penalty to perform a community service, eight hours of community service shall be replaced by one day of imprisonment penalty.

5. A penalty of community service shall not be imposed to a person with complete disability of working skills; community work with direct consequences on physical health conditions shall not be imposed to a pregnant woman, woman over fifty-five years old and man over sixty-five years old.

(This paragraph was modified by the Law of May 11, 2017)

Article 5.5 Limitation of free travel right

1. Limitation of free travel right shall refer to prohibition to leave the place of residence or visit certain places under control of an authorized organization, bearing by a person committed a crime of an obligation to travel to particular destination approved by the court, change place of residence with permission from the authorized organization and travel for the period from one month to five years.

2. If court considers that the convicted threatens risk to others, it may prohibit to contact with others taking in account the circumstance of committing a crime, character of damage or harm caused and personality of a person committed a crime.

3. If the convicted did not execute a penalty of limitation of free travel right, one day of the remaining term of a penalty shall be replaced by penalty of one day of imprisonment.

4. Court may mitigate a penalty to limit free travel right in a manners specified in parts 1.1 and 1.2 of the article 6.7 of this Code, or discharge the penalty, or take compulsory actions, taking into account circumstances of committing a crime, character of damage and harm caused and personality of the person whose commission of a crime has been proved, or the person committed a crime has made confession.

(This paragraph was added by the Law of May 11, 2017)

Article 5.6 Imprisonment

1. Imprisonment shall refer to a penalty of limitation of freedom of a person committed a crime for certain period of time, or hold in prison of open regime for life-time, or hold in prison of closed regime.
2. Conditions of imprisonment of open or closed regime shall be determined by in the law.
3. A person committed a crime specified by in this Code shall be imposed a penalty of imprisonment for period from six months to twenty years under open regime, or imprisonment for certain period under closed regime in separated form.
(This paragraph was modified by the Law of May 11, 2017)
4. Court shall settle to serve a penalty of imprisonment for certain period of time in prison of open regime, or closed regime taking into account circumstances of committing a crime, character of damage and harm caused and personality of a person.
5. A person committed a crime shall be hold separately in prison for life-term under closed regime, provided it is specified in this Code.
6. Court shall settle whether to discharge a penalty of a person, who was sentences for life-term, after twenty-five years of imprisonment taking into account circumstances of committing a crime, character of damage and harm caused and personality of a person.
7. If a convicted was not released by the procedure specified in the paragraph 6 of this article, this matter shall be discussed once in every two years.
8. A person committed a crime before reaching eighteen years old shall not be imposed a penalty of life-term imprisonment.
9. If a person imposed a penalty of fine, or community service, or limitation of free travel failed to execute the court decision, according to the procedures specified in paragraph 5 of the article 5.3, paragraph 4 of the article 5.4 and paragraph 3 of the article 5.5, the remaining unexecuted part of the penalty shall be replaced by imposition of the penalty of imprisonment regardless whether the crime for which the penalty was imposed included imprisonment or not.
(This paragraph was added by the Law of June 9, 2017)

Article 5.7 Deprivation of rights

1. Deprivation of rights shall refer to deprivation of rights to work on positions at public organizations, undertake professional activity, or other certain rights for a period from one year to eight years.
2. Court may impose a penalty of deprivation of rights in addition to main penalty taking into account circumstances of committing a crime, character of damage and harm caused and personality of a person. A penalty of deprivation of rights shall be necessarily imposed provided it is specified in the Special part of this Code.
(This paragraph was added by the Law of May 11, 2017)
3. If court has imposed a penalty of deprivation of rights in addition to the main penalty, the time period shall be calculated as follows: from the date of completion of this penalty, or in case of additional penalty to fine, community work, limitation of free travel right, from the date of imposition of the penalty, or in case of imposition of obligation without imprisonment, taking compulsory measures to limit rights, from the date of taking compulsory actions.
4. Court may impose a penalty of deprivation of rights in addition to main penalty imposed to a person committed a crime specified in the chapter 12 of this Code against a child, or a father mother, guardian, supporter, or committed a crime specified in the chapter 16 of this Code taking into account circumstances of committing a crime, character of damage and harm caused and personality of a person.
(This paragraph was added by the Law of May 11, 2017)

CHAPTER SIX

IMPOSITION OF CRIMINAL RESPONSIBILITY, GROUNDS AND PROCEDURE FOR DISCHARGING FROM CRIMINAL RESPONSIBILITY

(This chapter was amended by the Law of May 11, 2017)

Article 6.1 Imposition of criminal responsibility

(The title of this article was amended by the Law of May 11, 2017)

1. Court shall impose a criminal responsibility to a person committed a crime in compliance with grounds and procedure specified in the General part of this Code, and within types and extent specified in the Special part of this Code.

(This paragraph was amended by the Law of May 11, 2017)

2. In imposition of criminal responsibility, it shall be taken into thorough account circumstances of committing a crime, character of damage and harm caused and personality of a person, mitigating or aggravating circumstances of a criminal responsibility.

(This paragraph was amended by the Law of May 11, 2017)

3. A criminal responsibility shall not be of inhuman, severe, degrading or humiliating character.

(This paragraph was amended by the Law of May 11, 2017)

4. Except the cases to which a restriction has been set by in this Code, an accomplishment of a criminal responsibility shall not lay ground for worsening of a legal status of a person.

(This paragraph was added by the Law of May 11, 2017)

Article 6.2 Age limit for criminal responsibility

(The title of this article was modified by the Law of May 11, 2017)

1. Criminal responsibility shall be imposed to a person reached age of 16 years at the moment of committing of a crime.

(This paragraph was amended by the Law of May 11, 2017)

2. A person aged from fourteen to sixteen committed the following crimes specified in the Special part of this Code: article 10.1 (Murder), article 11.1 (Intentional infliction of harm to human health), article 12.1 (Rape), article 17.1 (Theft), article 17.2 (Robbery), article 17.8 (Damage, destroy of property), article 20.7 (illegal use of drugs, psychotropic substances), article 20.16 (Destroy the peace of people), article 26.1 (Producing and sale of techniques, programs for illegal intervention to electronic network), article 26.3 (Creation, use and distribution of destroying software programs), and article 29.8 (Committing terrorist acts), shall be imposed a criminal responsibility.

(This paragraph was modified by the Law of May 11, 2017)

3. Mandatory actions of educational character may be taken to a person reached an age of fourteen years but not eighteen-year-old at the moment of committing of a crime.

4. If a teenager specified in the paragraph 2 of this article has not understood an illegal character of his actions or inactions due to backwardness of psychological development and thus has been incapable to understand completely potential harm, it may not be imposed a criminal responsibility.

Article 6.3 Capability to bear responsibility

1. A person committed a crime capable to bear responsibility for a crime shall be imposed a criminal responsibility.

(This paragraph was modified by the Law of May 11, 2017)

2. Loss of understanding and ruling of real character of own acts, dangerous situations due to psychological defect, mental backwardness shall be deemed an incapability to bear responsibility for a crime.

3. A person who was incapable to bear responsibility for a crime at the moment of committing of a crime shall be imposed compulsory actions of medical character specified in this Code without imposing a penalty.

4. In case if a person has become incapable to bear criminal responsibility after committing of a crime, a court shall apply to him compulsory actions, and after recovery shall impose a penalty.

(This paragraph was modified by the Law of May 11, 2017)

Article 6.4 Imposing a penalty to a person committed a crime while were drunk or intoxicated

1. Committing a crime in drunk or intoxicated state shall not lay ground to discharge a criminal responsibility.

(This paragraph was modified by the Law of May 11, 2017)

2. If it has been found, that a person committed a crime in drunk or intoxicated state, has been addicted to drinking or intoxication, he may be imposed compulsory actions specified in the article 7.4 of this Code in addition to the imposed penalty.

Article 6.5 Situations to mitigate criminal responsibility

(The title of this article was modified by the Law of May 11, 2017)

1. Court shall take in account the following mitigating circumstances in imposing criminal responsibility:

(This paragraph was modified by the Law of May 11, 2017)

1.1. committed a crime first time due to circumstances of accidental character;

1.2. provided immediately medical and other assistance to a victim after committing of a crime, eliminated damage caused;

1.3. committed a crime under physical, psychological, compulsory, property and work position related, and other pressure;

1.4. committed a crime because of illegal, immoral actions of a victim;

1.5. at confession, and when assisted in revealing of a crime committed by others, finding out of assets and income gained during committing of a crime;

(This paragraph was amended by the Law of May 11, 2017)

1.6. committed a crime due to misunderstanding of circumstances;

1.7. committed a crime in self-defense attacking to a victim because of being in constant violence and pressure.

2. In case if circumstances specified in the first paragraph of this article are stipulated as characteristics of a crime, the criminal responsibility shall not be deemed mitigating circumstances.

(This paragraph was modified by the Law of May 11, 2017)

3. Court may mitigate criminal responsibility taking in account special circumstances not specified in this Code.

(This paragraph was modified by the Law of May 11, 2017)

Article 6.6 Aggravating circumstances of criminal responsibility

(The title of this article was modified by the Law of May 11, 2017)

1. Court shall take in account the following aggravating circumstances in imposition of criminal responsibility:

(This paragraph was modified by the Law of May 11, 2017)

1.1. committing of a crime causing physical, psychological suffer and pain in atrocity and in insulting way;

1.2. committing of an intentional crime specified in one chapter of the Special part of this Code two and more times, or committing in a group;

(This paragraph was modified and edited by the Law of May 11, 2017)

1.3. committing of a crime in a way dangerous to the community;

1.4. committing of a crime with purpose to conceal or facilitate another crime;

1.5. committing of a crime against a person performing an official or public duty, his immediate relatives;

1.6. committing of a crime against a person being materially or otherwise dependent having known of his incapability to defense himself;

1.7. committing of a crime by taking advantage of the conditions of an emergency situation, disaster, dangerous phenomena or mass disorder;

1.8. a person, who admitted his guilt and obliged by a court to compensate damage, fails to perform.

2. In case if aggravating circumstances specified in the Special part of this Code are stipulated as characteristics of a crime, the criminal responsibility shall not be deemed aggravating circumstances.

(This paragraph was modified by the Law of May 11, 2017)

3. Court shall prohibit to aggravate criminal responsibility taking in account circumstances not specified in this article.

(This paragraph was modified by the Law of May 11, 2017)

Article 6.7 Mitigating a penalty of imprisonment, discharging from imprisonment, applying compulsory actions to a person admitted his guilt

(The title of this article was modified by the Law of May 11, 2017)

1. Court may mitigate a penalty of imprisonment, or discharge a penalty, or impose compulsory measures in the following ways taking into account the fact that the guilt was proven, circumstances of committing of a crime, character of damage and harm caused and personality of a person admitted his guilt:

(This paragraph was amended by the Law of May 11, 2017)

1.1. If a person committed a crime specified in the Special part of this Code, for which the maximum penalty of imprisonment is up to three years or less, compensated damage caused due to the crime, or expressed to compensate damage caused due to the crime, he shall be discharged from the penalty, or released on probation for a period up to three years, and imposed to take compulsory actions;

(This paragraph was modified by the Law of May 11, 2017)

1.2. If a person committed a crime specified in the Special part of this Code, for which the maximum penalty of imprisonment is up to five years and less, compensated damage caused due to the crime, or expressed to compensate damage caused due to the crime, he shall be released on probation for a period up to five years or less, and imposed to take compulsory action of deprivation of rights;

(This paragraph was modified by the Law of May 11, 2017)

1.3. If a person committed a crime specified in the Special part of this Code, for which the minimum penalty of imprisonment is more than two years and the maximum penalty of imprisonment is up to eight years and less, compensated damage caused due to the crime, he shall be imposed the penalty specified in the provision of this article in the extent not exceeding 1/2 of the maximum penalty and not less 1/2 of the minimum penalty;

(This paragraph was amended by the Law of May 11, 2017)

1.4. If a person committed a crime specified in the Special part of this Code, for which the maximum penalty of imprisonment is twelve years or more than fifteen years, compensated damage caused due to the crime, he shall be imposed the penalty specified in the provision of this article in the extent not exceeding 2/3 of the maximum penalty and not less 2/3 of the minimum penalty.

(This paragraph was modified by the Law of May 11, 2017)

1.5. If a person committed a crime specified in the Special part of this Code, for which the maximum penalty of imprisonment is up to twenty years and no penalty of life-term imprisonment has been imposed, compensated damage caused due to the crime, he shall be imposed the penalty specified in the provision of this article in the extent not exceeding 3/4 of the maximum penalty and not less 3/4 of the minimum penalty.

(This paragraph was amended by the Law of May 11, 2017)

2. The procedure specified in the paragraph 1 of this article shall be applied to mitigating or aggravating of a penalty of a member of an organized criminal group on the basis provided by in the paragraph 6 of the article 3.8 of this Code.

3. If a person committed a crime, for which a Special part of this Code provides a penalty of life-term imprisonment, has admitted his guilt, a court shall settle whether to impose a penalty for certain term of imprisonment or not.

4. The procedure specified in this chapter shall not apply to imposition of a penalty to a person who failed to perform duty obliged by a court during serving a probation and compulsory actions of limitation of rights.

5. Court may settle to pay in parts the compensation by a person who expressed to compensate taking in account his assets, salary and ability to obtain other sources of income including time period for payment into the time period of probation.

(This paragraph was modified and edited by the Law of May 11, 2017)

Article 6.8 imposition of a penalty to a person committed multiple crimes

(The title of this article was modified by the Law of May 11, 2017)

1. In imposition of a penalty to a person committed multiple crimes, court shall impose a penalty to each crime, and settle final penalty and its type and scope summarizing all crimes.

2. If several types of penalty are imposed to multiple crimes, a court may settle to incorporate a minor penalty into grave penalty, or impose separate penalty to each crime, as follows:

2.1. money amount (turgugs) equal to fifteen units of fine;

2.2. eight hours of a penalty of community service;

2.3. one day of a penalty of limitation of free travel right;

2.4. one day of a penalty of imprisonment.

(This paragraph was modified and edited by the Law of May 11, 2017)

3. Total amount of a penalty that incorporates one type of penalty to multiple crimes shall not exceed the maximum amount of a penalty of imprisonment with the gravest penalty specified in this Code.

4. Total amount of a penalty that incorporates penalties imposed to multiple crimes specified in several chapters shall not exceed the maximum amount of a penalty of imprisonment with the gravest penalty set in one of the chapters.

Article 6.9 Imposition of a penalty by multiple sentencing decrees

1. If a convicted has committed a new crime before completion of the penalty imposed, a penalty shall be imposed to the convicted, and total amount of a penalty shall be determined incorporating the last penalty and the remaining penalty imposed by the previous decree.

2. If court has imposed multiple penalties by multiple sentencing decrees, a decision may be made to incorporate in compliance with paragraph 2 of the article 6.8 of this Code, or impose separate penalties to each of the crimes.

3. In incorporation of multiple penalties imposed by several sentencing decrees, total amount of the penalty shall not exceed the maximum amount of the penalty of such type specified in this Code.

4. Total amount of an incorporated penalty shall be more than the amount of the remaining penalty imposed by the previous sentencing decree.

Article 6.10 Calculating of incarceration term

1. Court shall include a term of an arrest and incarceration into the penalty term of the convicted.

2. A penalty term shall be deducted as follows: one day of an arrest and incarceration by tugrugs equal to an amount of fifteen units of a fine penalty or by eight hours of a community service penalty or by one day of a limitation of free travel penalty.

(This paragraph was added by the Law of May 11, 2017)

Article 6.11 replacement of a penalty of imprisonment by a penalty of limitation of free travel right

1. A penalty of imprisonment of a person for commission of a crime specified in the Special part of this Code for which the maximum penalty is imposed for up to five years, may be replaced by a penalty of limitation of free travel right on the following basis:

1.1 In case of pregnant women: three months before giving birth, up to two years after giving birth;

1.2 In case of single father or mother: until two years of age of a child.

2. Upon ending of the circumstances specified in the first paragraph of this article a term of a penalty of limitation of free travel right shall be estimated within the term of the imprisonment penalty and the remaining penalty shall be imposed.

3. If a convicted, who has committed a crime for which imposition of a penalty of imprisonment for up to five years is specified in the Special part of this Code, compensated damage caused due to the crime, eliminated harm, a court may discharge from the unserved remaining penalty taking in account circumstance of committing of a crime, damage caused, characteristics of harm and personality of the convicted.

(This article was invalidated by the Law of May 11, 2017)

Article 6.12 Release from imprisonment before the expiration of term, arrange supervision

1. Court may release the convicted before the expiration of term and arrange supervision over the convicted if he has paid compensation of a harm caused due to a crime committed, proved that he has not threat the society anymore, has not committed any serious offence during serving the sentence and completed the following percentage of the penalty imposed taking in account a proposal of a prosecutor:

1.1 not less ½ percent of an imprisonment penalty imposed for up to five years;

1.2 not less 2/3 percent of an imprisonment penalty imposed for a period from five years to twelve years;

1.3 not less 3/4 percent of an imprisonment penalty imposed for a period from twelve years up to twenty years.

2. In release from a penalty of imprisonment, it shall be arranged a term of supervision equal to the remaining term of an unserved penalty.

3. If a person released from a penalty of imprisonment before the expiration of the term has breached his obligations during a supervision period, a court shall dismiss the decision on arranging of a supervision and impose to serve the remaining penalty based on proposal of a prosecutor.

4. If a person released from a penalty of imprisonment before the expiration of the term has deliberately committed a crime, a court shall incorporate a penalty imposed to a new crime to the penalty of the remaining unserved penalty in compliance with the procedure specified in the article 6.9 of this Code.

5. If a person released from a penalty of imprisonment before the expiration of the term has recklessly committed a crime, a court shall settle whether to impose a penalty in compliance with the procedure specified in the article 6.9 of this Code.

Article 6.13 Release from a penalty of imprisonment or limitation of freedom of free travel on the basis of illness

1. A person became psychologically ill after committing of a crime and imposition of a penalty and consequently became incapable to understand real characteristics of own action and its harmfulness, and manage own actions shall be released from serving of a penalty and imposed compulsory actions.

2. In a case if a person has got an illness that burdens service of a penalty after committing of a crime and imposition of a penalty, a court may release from serving of a penalty by the convicted, and the procedure shall be settled by the law.

3. A person deliberately caused harm to his health during serving a penalty of imprisonment or limitation of free travel right shall not be released from the penalty.

Article 6.14 Release by pardon or excuse

1. A person or legal entity may be released in full or in part from a penalty by the Law on Pardon or Decree of the President on excuse.

2. Crimes against security and peace of mankind shall not be covered by pardon or excuse.

Article 6.15 Assisting in detection of a crime

1. A person significantly assisted or ready to co-operate, in detection of a transnational crime or crime, for which a penalty of the minimum penalty of five or more years is imposed, may be released from a criminal responsibility.

2. A person committed a crime against security and peace of mankind shall not be deemed a person to co-operate.

(This article was added by the Law of May 11, 2017)

CHAPTER SEVEN

PROBATION, TAKING MANDATORY ACTION

Article 7.1 Probation without imposition of a penalty of imprisonment

(The title of this article was modified by the Law of May 11, 2017)

1. A person committed a minor crime admitted his guilt, compensated damage caused due to the crime and eliminated harm, or expressed to compensate the damage caused, it may be applied probation without imposition of a penalty of imprisonment specified in the appropriate article, paragraph or provision taking in account circumstances of committing of a crime, personality of a person committed a crime.

(This paragraph was modified and edited by the Law of May 11, 2017)

2. In case if a crime specified in the Special part of this Code has deliberately been committed two or more times, or a crime the maximum penalty of which is imposed for more than five years, or a crime has been committed by a member of an organized criminal group, the abovementioned crimes shall not be covered by the paragraph one of this article.

3. Court may limit rights obliging to execute some duties specified in paragraphs 2 and 3 of the article 7.3 of this Code taking in account circumstances of committing of a crime, personality of the person committed a crime.

4. Court shall dismiss a decision on probation and impose a penalty in cases of failure to perform duties obliged and breach of the limitation.

5. In case of committing of an intentional crime specified in the Special part of this Code during probation period, a court shall dismiss the decision on probation and impose a penalty in compliance with procedures specified in the articles 6.8 and 6.9 of this Code.

(This paragraph was modified and edited by the Law of May 11, 2017)

6. If a crime has been committed recklessly during the period of probation, a court shall settle whether to invalidate the compulsory action taking in account circumstances of committing of a crime, characteristics of damage and harm caused, personality of a person committed a crime, performance of obligations during the period of imposition of obligation and limitation of the right.

7. If court considers that damage caused due to a crime has been compensated during the probation period, obligation imposed by a court has been performed and application of mandatory actions such as imposition of obligations and limitation of rights are unnecessary, the court may release from a penalty before expiry of a term of mandatory actions of imposition of obligation and limitation of rights based on conclusion of the prosecutor.

8. If there has been no breach of obligation imposed and limitation of right set by a court, a penalty shall not be imposed based on the conclusion of the prosecutor.

(This paragraph was modified and edited by the Law of May 11, 2017)

9. According to the paragraph 1 of this article a court shall determine the term for payment of a compensation of damage by the convicted on probation who expressed willingness to pay the compensation.

(This paragraph was added by the Law of May 11, 2017)

Article 7.2 Types of mandatory actions

1. If a court considers that it is required to meet the purpose specified in the article 5.0 of this Code, a person committed a crime may not be imposed a penalty but released on probation, or take the following mandatory actions in addition to the imposed penalty:

1.1 mandatory actions of imposition of duties or limitation of rights;

1.2 mandatory actions of medical nature;

1.3 mandatory actions of confiscation of property, incomes.

Article 7.3 Mandatory actions of imposition of duties, limitation of rights

1. Court may limit rights imposing some duties specified in paragraphs 2 and 3 of this article taking in account circumstances of committing of a crime, personality of a person committed a crime.

2. Court shall impose the following duties:

2.1 take actions to eliminate harm caused due to the crime;

2.2 correct behavior, attend a training to obtain work skills;

2.3 perform a particular work, duties;

(This paragraph was modified by the Law of May 11, 2017)

2.4 get psychological treatment or medical treatment against addiction;

(This paragraph was invalidated by the Law of May 11, 2017)

2.5 inform in prior the authorized supervising organization about the residence place, changes in work place and school, and travel.

3. Court shall set the following limitations:

3.1 Prohibit go to a particular place, contact a particular person;

3.2 Prohibit to own or possess fire arms;

3.3 Prohibit to use alcoholic and drug substances;

3.4 Prohibit to undertake a particular type of activity.

4. If duties or limitations imposed by a court have been failed, a court shall dismiss the respective decision and impose a penalty based on conclusion of the prosecutor.

5. If a deliberate crime has been committed during the period of imposition of duties or limitation of rights, a court shall invalidate the decision on imposition of duties and impose a penalty in compliance with the procedure specified in the article 6.1 of this Code.

6. If a crime has recklessly been committed during the period of imposition of duties or limitation of rights, a court shall settle whether to invalidate the mandatory actions or not taking in account circumstances of committing of a crime, characteristics of damage and harm caused, personality of a person committed a crime, performance of obligations and limitations during the period of imposition of obligation.

7. A person imposed mandatory actions to perform duties and limitations has compensated damage of a crime, performed duties imposed and has not breached limitations of rights, and if it is considered unnecessary to take mandatory actions to perform duties and limitations, a court may release from a conviction before expiry of the term based on conclusion of the prosecutor.

8. Upon expiration of the term of mandatory actions to perform duties, limitation of rights a court shall settle whether to impose a penalty to the convicted based on conclusion of the prosecutor.

9. A procedure of supervision over a person imposed a penalty of mandatory actions to perform duties, limitation of rights shall be set forth by the law.

Article 7.4 Mandatory actions of medical nature

1. In a case if the convicted was incapable to bear responsibility for a crime at the moment of committing of a crime, became incapable after commission of a crime, a court shall render a decision to take mandatory actions of medical nature.

(This paragraph was modified by the Law of May 11, 2017)

2. If a person, who was taken mandatory actions of medical nature due to incapability to bear responsibility for a crime at the moment of committing of a crime, has recovered from incapability, a court shall render a decision to discontinue maintaining of the mandatory actions.

3. If psychological condition of a person, who was incapable to bear responsibility for a crime at the moment of committing of a crime has threatened no danger to himself and others, he may be handed over to an appropriate medical organization or a guardian without taking mandatory actions of medical nature.

4. If a person, who was imposed to take mandatory action of medical nature due to his incapability during the criminal process, although he has been capable to bear responsibility for a crime at the moment of committing of a crime, has been recovered from an incapability, a court shall render a decision to discontinue maintaining of the mandatory actions and impose a penalty.

5. If a person, who was involved in a mandatory action of medical nature, has rehabilitated during time period and recovered from an incapability, a court shall deduct from a penalty imposed one day of a mandatory action of medical nature as one day of an imprisonment, and the remaining penalty shall be served.

6. In case of essential treatment of psychological illness of a convicted who was imposed a penalty at the time when he was capable to bear criminal responsibility, a court may impose to take compulsory action of medical treatment under compulsory control of the ambulatory or by a psychologist.

(This paragraph was modified by the Law of May 11, 2017)

7. Court shall determine types, regime and term of mandatory actions of medical nature taking in account a conclusion of an expert.

8. Court shall settle matters whether to extend, alter and discontinue mandatory actions of medical nature taking in account a conclusion of an expert.

9. Court may impose mandatory actions of medical nature to take medical treatment against psychological rehabilitation and addiction taking in account personality of a person committed a crime and circumstances of committing of a crime.

(This paragraph was added by the Law of May 11, 2017)

Article 7.5 Mandatory actions of confiscation of assets, proceeds

1. Assets and proceeds gained by committing of a crime, or property and income equal to damage caused due to a crime designated to compensate damage caused to others shall be mandatorily removed from a portion of property and income of a person or legal entity.

(This paragraph was modified and edited by the Law of May 11, 2017)

2. "Assets, proceeds gained by committing of a crime" shall refer to property or non-property assets obtained directly or indirectly by committing of a crime, in Mongolia – specified in the Special part of this Code, in a foreign country – specified in a particular law to impose a penalty of an imprisonment for one year and more term, cost or proceeds of the respective assets, techniques and tools used or attempted to use in committing of a crime.

3. Confiscated assets, proceeds shall be used to compensate damage caused to others, pay expenses of case investigation and settlement process. In case if an amount of assets, proceeds gained by committing of a crime exceeds damage, it shall be assigned to the state budget.

4. If it has been found that items obtained by committing of a crime, their cost, transport means, vehicle, fire arms, weapons, things specially prepared to use as weapon were in an ownership of a faulty person, they shall be confiscated or disposed or used in payment of compensation of a damage of a crime.

5. If assets, proceeds gained by committing of a crime have been assigned to an ownership of others on the basis of a lawful contract, a court shall assess them and have the damage mandatorily compensated from a portion of assets and income of a person or legal entity committed a crime that are not prohibited to be compensated by the law. If it has been found that the assets or proceeds were taken being known that they have been obtained by committing of a crime, a court shall invalidate agreement on an assignment of the items, assets or proceeds to an ownership of others, confiscate assets, proceeds and have the damage compensated.

(This paragraph was modified by the Law of May 11, 2017)

6. In confiscation of assets, proceeds, a court shall specify respective assets, proceeds in its decision.

Article 7.6 Suspension of execution of a sentencing decree of imprisonment

1. Court may suspend an execution of a sentencing decree of imprisonment with respect to teenage person committed a crime for first time, pregnant woman, mother with a child under three- year old, single father for up to two years. Court decision implementation body shall take control over a convicted during suspension period.

2. If a convicted avoided to nurse his/her child, the decision to suspend an execution of the sentencing decree shall be invalidated based on the conclusion of a prosecutor, and a judge shall render decree to personal service of a penalty of imprisonment.

3. If a person deliberately commits a new crime during the suspension period, a court shall impose a penalty in conformity with the article 6.9 of this Code.

4. If a convicted has not breached obligation imposed by a court or limitation set during the period of suspension of an execution of sentencing decree, a court shall release from a penalty based on the conclusion of a prosecutor.

(This paragraph was added by the Law of May 11, 2017)

CHAPTER EIGHT

CRIMINAL RESPONSIBILITY OF JUVENILES

(This paragraph was amended by the Law of May 11, 2017)

1 Grounds for criminal responsibility of juveniles

(The title of this article was modified by the Law of May 11, 2017)

1. The criminal responsibility, as specified in this chapter, may be imposed to persons, of fourteen year of age as well as those not reached the age of eighteen at the moment of committing of a crime.

(This paragraph was modified by the Law of May 11, 2017)

2. The purpose of criminal responsibility of juveniles is to assist securing their position in the society, promote understanding of the harm caused due to commission of a crime, separate from the effect of environment or persons who has seduced into commission of a crime, take corrective measures of imprisonment taking in account the age, physical, health, moral and mental conditions, and if necessary, educate juveniles committed a crime in detention.

(This paragraph was modified by the Law of May 11, 2017)

3. The court, upon consideration of the personality of the juvenile convicted, the crime characteristics, shall impose a penalty specified in this chapter, or impose the application of mandatory actions of educational character with or without imposing a penalty in addition to it.

4. Juveniles having committed a crime, to which the Special part of this Code specifies a penalty of five and more years of imprisonment, shall not be imposed mandatory actions of educational character solely.

(This paragraph was modified by the Law of May 11, 2017)

(This paragraph was modified by the Law of June 27, 2018/

5. Court shall impose a penalty based on grounds and procedure specified in this chapter and may settle to apply mandatory actions of educational character, according to a person of eighteen years of age but not reached the age of twenty-one years.

Article 8.2 Types of penalties to impose to juveniles

1. The following penalties may be imposed to juveniles who committed crimes:

- 1.1 Community service;
- 1.2 Limitation of free travel right;
- 1.3 Imprisonment under reinforced educational regime.

Article 8.3 Community service

1. A Juvenile committed a crime shall be imposed a penalty of community service, that do not contradict with his age, physical state, health, moral and mental development.
2. Community service shall be imposed to juveniles for a term of up to three hours a day, in total from one hundred and twenty to three hundred and sixty hours.

(This paragraph was modified and edited by the Law of May 11, 2017)

3. The court may impose the application of mandatory actions of educational character in addition to community service.

Article 8.4 Limitation of free travel right

1. The court shall impose a penalty of limitation of free travel right by reducing the penalty twice in accordance with the regulations specified in the article 5.5 of the Special part of this Code, to a juvenile committed a crime with penalty of limitation of free travel right specified in the Special part of this Code.

Article 8.5 Imprisonment in a special closed-type teaching and educational institution

1. The court shall impose a penalty of imprisonment by reducing the sentencing twice in accordance with the regulations specified in the article 5.6 of the Special part of this Code to a juvenile committed a crime with imprisonment specified in the Special part of this Code.
2. The conditions of a special closed-type teaching and educational institution, which is entitled to reinforcing imprisonment of a juvenile, shall be stipulated by the law .
3. A special closed-type teaching and educational institution shall provide general or professional education to master appropriate skills to work, living skills, designated for juvenile convicts. Compulsory labour is prohibited for juveniles, who are serving a sentence.
4. If a juvenile, who has previously served sentence in a special closed-type teaching and educational institution, reaches eighteen years old, a court is entitled to decide the continuation of a juvenile's remaining sentence time period until attaining of twenty-one years old, or transferring into a prison for adults.

8.6 Suspending of a penalty of juvenile imprisonment

1. In suspending a penalty imposed by a court in accordance with article 7.6 of this Code for the first time, a court may impose responsibilities, limitations specified in the paragraphs 2 and 3 of the article 7.3 to a juvenile, who committed a crime for which a penalty of imprisonment is not specified or imprisonment for a period of up to eight years or less than is specified in the Special part of this Code.

(This paragraph was modified by the law of June 27, 2018/

2. If during the term limit, set by a court, a juvenile, whose penalty has been suspended, neglects responsibilities, violates the limitation imposed by a court, a court may render a decision on revocation of the suspension based on a proposal of a prosecutor and settle the reversal of the suspension and reimposition of a penalty by serving imprisonment in person.
3. If a person commits a new deliberate crime during the suspension of a court's decision, a court shall impose a penalty in accordance with the article 6.9 of this Code.
4. If a juvenile convict with a penalty of imprisonment did not violate the responsibilities, limitations imposed by a court, within the remaining term of suspension of a court's decision for a juvenile, then the court, based on a proposal of a prosecutor, shall release from criminal responsibility.

(This paragraph was added by the Law of May 11, 2017)

Article 8.7 Corrective compulsory measures

(The number of this article was modified by the Law of May 11, 2017)

1. It may be settled to impose apply probation instead of a penalty for education under supervision for a period from one year up to three years taking in account circumstances of committing of a crime, damage and harm caused and personality of a juvenile committed a crime for which the Special part of this Code specifies a penalty of imprisonment for the maximum of eight or less years, or a crime for which the Special part of this Code does not specify a penalty of imprisonment.

(This paragraph was modified by the Law of May 11, 2017)

(This paragraph was modified by the law of June 27, 2018/

2. For the purposes to have a juvenile understand his guilt, compensate harm inflicted by his action, educate in correct way of living and working, prevent from repetitive commission of crimes, a court shall impose a responsibility specified in the second paragraph of the article 7.3.

3. Corrective mandatory actions shall be executed by the state administrative institution in charge of children.

4. During the period of maintaining of corrieective actions, the responsibility to educate a juvenile committed a crime may be trusted to a specific collective group, non-governmental organizations, father, mother, guardian, supporter, educator, close relatives, and relatives upon request or permission from a certain citizen.

CHAPTER NINE

CRIMINAL RESPONSIBILITY OF LEGAL ENTITIES

(The title of this chapter was modified by the Law of May 11, 2017)

Article 9.1 Grounds for criminal responsibility of legal entities

(The subject of this chapter was modified by the Law of May 11, 2017)

1. Crimes with criminal liability of legal entities, specified in the special section of this code, committed by a businessman inpidually, who is authorized to represent its legal entity, or by a joint decision or actions and inactions aimed at the interest of a legal entity, shall be subject to criminal liability of legal entities.

2. A penalty shall be imposed in case if a crime specified in this Code was committed by a person on behalf of a legal entity for the benefit of a legal entity through a permission of an official authorized to render a decision on behalf of a legal entity for the benefit of a legal entity, or a crime specified in this Code was committed in failure to perform lawful obligations by action or inaction.

(This paragraph was modified by the Law of May 11, 2017)

3. Provision of the Special part of this Code on imposition of criminal responsibility shall not lay ground for an official rendered decision or permission on behalf of a legal entity to release from a penalty in compliance with the procedure specified in paragraphs 1 and 2 of this article.

(This paragraph was modified and edited by the Law of May 11, 2017)

4. Crimes committed within the territory of Mongolia by a branch of the foreign state legal entity, its repressentatives shall be punishable punishments like legal entities specified in this Code.

(This paragraph was added by the Law of May 11, 2017)

Article 9.2 Types of criminal responsibilities of legal entities.

(The title of this article was amended by the Law of May 11, 2017)

1. Types of criminal responsibilities legal entities shall be as follows:

1.1 a fine.

(This paragraph was modified by the Law of May 11, 2017)

1.2 deprivation of right

(This paragraph was invalidated by the Law of May 11, 2017)

1.3 Penalty of dissolution

(This paragraph was invalidated by the Law of May 11, 2017)

2. If a court considers to take necessary measures to fulfill the purpose stipulated in the article 5.1, legal entities may be applied the following mandatory actions in addition to main types of penalties:

2.1 Mandatory actions of deprivation of right;

2.2 Mandatory actions of dissolution;

2.3 Confiscation of property of legal entities.

(This paragraph was added by the Law of May 11, 2017)

Article 9.3 Penalty of a fine

1. If the Code provides for, legal entities shall be punishable by a fine in tugrugs equal to from ten thousand to four hundred thousand units.

Article 9.4 Mandatory actions of deprivation of rights

(The title of this article was amended by the Law of May 11, 2017)

1. If the Special part of this Code provides for, legal entities shall be punishable by deprivation of a right to engage in a single specified business or in one type of business activities, or by application of a mandatory action of deprivation of right.

(This paragraph was modified by the Law of May 11, 2017)

Article 9.5 Mandatory action of dissolution

(The title of this article was amended by the Law of May 11, 2017)

1. If the Special part of this Code provides for, mandatory actions of dissolution may be applied to the legal entities.

((The paragraph was modified by the Law of May 11, 2017)

2. In case of a dissolution of legal entities, a court shall settle issues regarding confiscation of assets, proceeds to pay compensation damage caused and assignment of the remaining assets to the state budget.

3. Mandatory actions of dissolution may be imposed if a branch of legal entity, its representative offices have committed crimes.

((This paragraph was added by the Law of May 11, 2017)

Article 9.6 Mandatory actions of confiscation of property of legal entities

1. The mandatory actions of confiscation of the amount of property equal to the damage caused by commission of crimes shall be imposed to legal entities, to compensate the damage caused to others.

2. Mandatory actions of confiscation of property of legal entities, shall be imposed in accordance with regulations specified in the article 7.5.

((This paragraph was added by the Law of May 11, 2017)

Article 9.7 Inevitability of criminal liability of legal entities.

1. According to the Special part of this Code if a legal entity subject to criminal responsibility has been reformed, the following legal entities shall be imposed criminal responsibility:

1.1 A new legal entity, in case of foundation of a new legal entity through merging with other legal entities;

1.2 An incorporated legal entity, in case of incorporation to other legal entities;

1.3 In case of foundation of another legal entity through piding or separation, a respective legal entity in proportion to the amount of assets, property or non-property rights, duties or activity related to a particular crime that it acquired;

1.4 In case of reformation of the organizational structure, form and main objectives, a reformed legal entity;

1.5 A parent company, in case if the parent company has committed a crime for the interest of its founders, shareholders.

2. If a legal entity has intentionally been dissolved during the criminal proceeding in order to evade from criminal responsibility, the criminal responsibility shall be reimbursed from shareholders, to whom property was allocated, persons with shared interest, who illegally gained assets, property and non-property rights by assignment from the legal entity through unreasonable forms, means and ways, and other legal entities that acquired assets, property or non-property rights by assignment without repayment.

3. If an impoposition of criminal responsibility to a legal entity pursuant to paragraph 1.3 of this article can not comply with the objectives of criminal responsibility and does not meet the principle of justice, a judge shall impose criminal responsibility to the legal entity, which was responsible for property, rights, duties to property, non tangible interest and all the activities in relation to the crime at the moment of committing of a crime.

4. Criminal responsibility shall be imposed irrespectively whether a legal entity specified in this article knew of the crime before its reorganazation.

(The paragraph was added by the Law of May 11, 2017)

SPECIAL PART

CHAPTER TEN

CRIMES AGAINST RIGHT TO LIFE

Article 10.1 Murder

1. The murder shall be punishable by imprisonment for a term from eight to fifteen years.

2. Of a human being:

2.1. committed with heightened cruelty;

2.2. committed by a method of endangering lives of many people, body, health, damage to the property;

2.3. Contacted murder;

2.4. with the purpose of concealing another crime, facilitating its commission;

2.5. aimed at creating of material and non-material benefits for self and for others;

2.6. of two and more persons;

2.7. convict being aware of a victim as a minor, a woman who was pregnant in a defenseless state;

2.8. committed by domestic violence

2.9. of a person, or their relatives in connection with their official activity and position;

2.10. committed by a member of an organized criminal group in its act

2.11. committed by a group of persons;

2.12. by torturing

2.13. committed for the purpose of the use of the blood, organs of a victim;

2.14. for a motive of ideological, racial, national, ethnical, religious, or by reason hatred based on sexual orientation discrimination shall be punishable by imprisonment for a term from twelve to twenty two years or by life-term imprisonment.

Legal meaning of a term: "a minor" as specified in this Code, refers to a person under the age of fourteen.

Article 10.2 A murder committed in a state of temporary insanity

1. A murder committed in a state of instant sudden strong mental distress caused by violence, threat of use of violence to a victim, their relatives, gross insult, by a protracted mentally traumatizing situation caused in connection with the amoral behaviour of the victim shall be punishable by imprisonment for a term from one to five years.

(This paragraph was modified and edited by the Law of May 11, 2017)

Article 10.3 A murder committed exceeding the measures necessary for detention of a person having committed a crime

1. Murder committed in excess of the requirements of justifiable defence needed for the detention of a person who has committed a crime, by actions not associated with the nature, risk of the measures for the prevention of damage shall be punishable by imprisonment for a term from two to eight years.

Article 10.4 Incitement to suicide

1. Incitement of a person, based on the over influence of property, official position, family-oriented relationship, to commit suicide inevitably, by means of systematic violations, denigration of the human dignity, beating, cruel treatment, threats, sufferings of the victim being dependent shall be punishable by imprisonment for a term from two to eight years.

Legal meaning of terms:- "a family-oriented relationship" as specified in this code, means relationships among members of a family, partners who are living together for other reasons, porced person, a person, who discontinued living together for other reasons, guardian, a person that delivers caretaking service, persons, who are under the care.

Article 10.5 The killing by a mother of her newborn child

1. The killing by a mother of her newborn child in a mentally traumatizing situation shall be punishable by penalty of limitation of free travel right for a term from six months to three years, or imprisonment for a term from six months to three years.

(The paragraph was amended by the Law of May 11, 2017)

Legal meaning of terms:- "a newborn child" as specified in this Code, refers to not more than three days after the baby is born.

Article 10.6 Infliction of death by recklessness

1. Reckless murder owing to the improper discharge by a person of his professional duties set forth in the administrative acts, arrangements in line with laws shall be punishable by penalty of limitation of free travel right for a term of one to five years, or imprisonment for a term of one to five years.

((The paragraph was edited by the Law of May 11, 2017)

2. The infliction of death of two or more persons due to this crime shall be punishable by imprisonment for a term from two to eight years.

CHAPTER ELEVEN

CRIMES AGAINST HEALTH IMMUNITY

Article 11.1 Deliberate infliction of a serious injury to health

1. The deliberate infliction of a serious injury to health shall be punishable by fine equal to from ten thousand to forty thousand units of amount, or imprisonment for a term from two to eight years.

2. The same crime committed in the following ways:

2.1 committed in aggravating circumstances specified in the second paragraph of the article 10.1;

2.2 by mockery, insult to a victim;

2.3 by causations of physical, mental sufferings, torments for the victim;

2.4 with use of a weapon or prearranged other objects used as weapons;

2.5 resulted in death of a victim - shall be punishable by imprisonment for a term from five to twelve years.

Legal meaning of terms:- "a weapon or prearranged other objects used as weapons" specified in this Code shall refer to items, tools and equipment designated to destroy, damage, safeguard and signal about complex or any construction with respect to physical structure. Weapon may be of any kind: firearms, cold weapon, gas weapon, produced or handmade weapon. "Prearranged other objects used as weapons" refers to cold weapon, firearms, items or tools specifically prepared, fixed to cause damage, harm to human body, property.

Article 11.2 Infliction of a serious injury to health while in a state of temporary insanity

1. Infliction of a serious injury to health committed in a state of sudden strong mental distress, caused by violence, threat of use of violence on a victim, their relatives, gross insult by degrading honor, dignity, by a protracted mentally traumatizing situation caused in connection with the amoral behaviour of the victim shall be punishable by penalty of limitation of free travel right for a term from six months to three years, or imprisonment for a term from six months to three years.

(This paragraph was modified and edited by the Law of May 11, 2017)

Article 11.3 Reckless infliction of serious injury to health

1. Infliction of serious injury to health due to recklessness or inaction by a person of his professional duties set forth in the administrative acts, arrangements in line with laws shall be punishable by penalty deprivation of rights for a term up to one year, limitation of free travel right for a term from six months up to three years, or imprisonment for a term from six months to three years.

((This paragraph was modified and edited by the Law of May 11, 2017)

2. The infliction of serious injury by this crime on two or more persons shall be punishable by a fine equal to from five thousand and four hundred to twenty seven thousand units of amount or penalty of limitation of free travel right from one to five years, or imprisonment for a term from one to five years.

(The paragraph was modified by the Law of May 11, 2017)

Article 11.4 Deliberate infliction of a less serious injury to health

1. The deliberate infliction of a less serious injury to health shall be punishable by a fine equal to from four hundred and fifty to five thousand four hundred units of amount, or two hundred and forty to seven hundred and twenty hours of community service, or penalty of limitation of free travel right from one month to one year.

(The paragraph was modified by the Law of May 11, 2017)

2. The same acts, if committed:

2.1 committed in aggravating circumstances as stipulated by the second part of Article 10.1;

2.2 by mockery, insult to a victim;

2.3 by causations of physical, mental sufferings, torments for the victim shall be punishable by penalty of limitation of free travel right from six months to three years, or imprisonment for a term from six months to three years.

((The paragraph was modified by the Law of May 11, 2017)

Article 11.5 Reckless infliction of less grave injury to health

1. Infliction of less grave injury to health due to recklessness or inaction by a person of his professional duties set forth in the administrative acts, arrangements in line with laws, which has caused protracted injury to health with loss of general capacity for work by not less than one-third shall be punishable by a fine equal to from four hundred and fifty to two thousand seven hundred units of amount or two hundred and forty hours to seven hundred and twenty hours of community service, or penalty of limitation of free travel right from one to six months.

(The paragraph was modified and edited by the Law of May 11, 2017)

2. The infliction of less grave injury by this crime on two or more persons shall be punishable by a fine equal to from four hundred and fifty to five thousand four hundred units of amount or two hundred and forty hours to seven hundred and twenty hours of community service, or penalty of limitation of free travel right from one month to one year.

(The paragraph was modified by the Law of May 11, 2017)

Article 11.6 Deliberate infliction of a light injury to health

(The title of this article was amended by the Law of May 11, 2017)

1. Infliction of light injury to health shall be punishable by a fine equal to from four hundred and fifty to one thousand three hundred and fifty units of amount or two hundred and forty hours to seven hundred and twenty hours of community service, or penalty of limitation of free travel right from one to three months.

(The paragraph was modified by the Law of May 11, 2017)

2. The same acts, if committed in aggravating circumstances as stipulated by in the second paragraph of the article 10.1, shall be punishable by a fine equal to from four hundred and fifty to two thousand seven hundred units of amount or two hundred and forty hours to seven hundred and twenty hours of community service, or penalty of limitation of free travel right from one to six months.

(The paragraph was modified by the Law of May 11, 2017)

Article 11.7 Domestic violence

1. It shall be punishable by penalty of limitation of free travel right from six months to one year, or imprisonment for a term from six months to one year, if a person in family relationship is systematically:

1.1 beaten;

1.2 treated with heightened brutality, cruelty causing sufferings;

1.3 or whose right to possess, use and dispose separate and communal property is violated.

2. The same acts, if committed:

2.1 against a child, pregnant woman, elder, disabled person;

2.2 by an employee of an institute which conducts caretaking service;

2.3 resisting a person who has attempted to restrict these actions shall be punishable by penalty of limitation of free travel right from six months to two years, or imprisonment for a term of six months to two years.

(The paragraph was modified and edited by the Law of May 11, 2017)

CHAPTER TWELVE

CRIMES AGAINST THE SEXUAL FREEDOM

AND INVIOABILITY OF THE PERSON

Article 12.1 Rape

1. The act against victim's will using force, threat or taking advantage of a situation, in which the person is not capable of initiating resistance due to mental illness, drunken or drug addicted state or other disease condition, or use of force

to engage into sexual intercourse using victim's state of material, occupational or other form of dependence, or forceful act of sexual nature shall be punishable by imprisonment for a term from one to five years.

2. This crime shall be punishable by imprisonment for a term from two to eight years if it is committed as follows:

2.1. rape of a person who has reached the age of fourteen years but not the age of eighteen years;

(This paragraph was modified by the Law of May 11, 2017)

2.2. rape by a group of persons;

2.3. rape of a person within family relationship;

2.4. led to pregnancy of a victim

2.5. entailed the venereal disease infection to the victim

2.6. committed against two or more persons;

2.7. made by a person with a previous conviction for having committed crimes specified in this chapter;

2.8 by cruel and coercive means;

2.9 caused physical, psychological distress and pain;

(This paragraph was invalidated by the Law of May 11, 2017)

2.10. made the victim humiliated.

3. A crime with consequences of miscarriage or pregnancy of a victim not reached sixteen years of age; or rape of the person within family relationship who did not reach the age of sixteen shall be punishable by imprisonment for a term from five to twelve years.

4. If this crime has been committed against a minor; or due to this crime, the victim died, the act shall be punishable by imprisonment for a term from twelve to twenty years or life term imprisonment.

Legal meaning of terms: - The victim of rape crime may be the person of any sex whose sexual inviolability is infringed.

- In consideration of this crime to be committed against a juvenile or minor, it shall not be required the commitment through the means specified in the paragraph 1 of this article.

- "Forceful act of sexual nature" shall mean penetrating any part of the body of a victim with a sexual organ or genital opening of victim's sexual organ with other part of the body or with any object.

Article 12.2 Immoral satisfaction of sexual desire

1. If during the act to engage in sexual intercourse the victim's consent there happened an immoral satisfaction of sexual desire in form of coercion, threat, intimidation or mock against victim's will, it shall be punishable by imprisonment for a term from six months to two years.

(This paragraph was modified by the Law of May 11, 2017)

Article 12.3 Sexual exploitation

1. The act involving the use of physical force, or threat or taking advantage of the defenseless state of the victim; or forced to engage into sexual intercourse with other persons not limiting free travel right but using victim's state of material, occupational or other form of dependence shall be punishable by imprisonment for a term from one to five years.

2. It shall be punishable by imprisonment for a term from eight to twelve years if this crime was committed with intent to gain profit forcing the victim to engage in prostitution in the following ways:

2.1 forceful engagement of a person aged fourteen to eighteen years;

(This paragraph was modified by the Law of May 11, 2017)

2.2 made by a person with a previous conviction for having committed offences specified in this chapter

2.3. with forced use of narcotic drugs and psychotropic substances;

2.4. made the victim pregnant;

2.5. committed against two or more persons;

2.6. acted regularly, permanently.

3. If the following consequences appear due to this crime, it shall be punishable by imprisonment for a term of five to twelve years:

3.1. miscarriage;

3.2. pregnancy of the victim not reached the age of sixteen years.

4. If this crime was committed with intent to gain profit forcing the victim to engage in prostitution in the following way, it shall be punishable by imprisonment for a term from twelve to twenty years or life imprisonment:

4.1 forceful engagement of the minors/juveniles;

4.2. if committed by the organized criminal group.

Legal meaning of terms: - In consideration of this crime to be committed against a juvenile or minor, it shall not be required the commitment through the means specified in the paragraph 1 of this article.

Article 12.4 Sexual abuse

1. Creating intolerable situation with consequence to cause damage for victim's workplace, career position, dignity, reputation, property, emotional or other form of injury through verbal, physical or other form of expressions to let know his/her desire to have sexual intercourse, or compel to have sexual intercourse, the act shall be punishable by limiting travel rights for a term of one to three months, or imprisonment for a term of one to three months.

2. If this crime committed against a child/minor or using the method mentioned in paragraph 1 of the present Article as abusing the victim and had sexual intercourse, the act shall be punishable by limiting travel rights for a term of one month to a year, or imprisonment for a term of one month to a year.

(This Article was invalidated by the Law of May 11, 2017)

Article 12.5 Sexual intercourse with a child under the age of sixteen

1. If a person of eighteen years old having been able to know known, or having known, that a victim has reached fourteen but not sixteen years old, has sexual intercourse with an underage person, he shall be punishable by a fine equal to from four hundred and fifty to five thousand four hundred units of amount, or by limitation of travel right from six months to one year, or by imprisonment for a term from six months to one year.

(This paragraph was modified by the Law of May 11, 2017)

2. It shall be punishable by limitation of travel right, or by imprisonment for a term from six months to three years if this crime has led to the following consequences:

2.1. a victim became pregnant;

2.2. a crime has entailed the infection of the victim with venereal disease.

(This paragraph was amended by the Law of May 11, 2017)

CHAPTER THIRTEEN

CRIMES AGAINST PERSONAL LIBERTY AND IMMUNITY

Article 13.1. Human Trafficking

1. The acts with purposes of engaging in prostitution, sexual exploitation of other forms, raping, taking in slavery and similar condition, removal of possessions and organs, enrollment in forced labor by use of physical force or threatening to use force, manipulating, deceiving, abusing of power, exploiting or controlling the vulnerability of a person, or taking under control by paying to a person or corrupting a person; transporting, giving an asylum, transiting; or receiving shall be punishable by imprisonment for a term from two to eight years.

2. If the same act has been committed in the following circumstances, it shall be punishable by imprisonment for a period from five to twelve years:

2.1. being aware of a juvenile, pregnant women;

2.2. trafficking of two or more persons;

2.3. crossing of borders of Mongolia.

3. The same acts, if committed in the following ways, shall be punishable by imprisonment from twelve to twenty years, or by life term imprisonment:

3.1. continuously and constantly;

3.2. by organized criminal group.

Legal meaning of terms: - In consideration of this crime to be committed against a juvenile or minor, it shall not be required the commitment through the means specified in the paragraph 1 of this article.

- Consent of the victim shall be nullified should one of the aforementioned methods of human trafficking be present in the case.

13.2. Kidnapping

1. If the victim was taken by use of physical force or threatening, taking under control using the condition of unavailability of self-defense and resistance due to such illnesses as mental illness, drunkenness, drug abuse and mental disorder, it shall be punishable by imprisonment for a term from one to five years.

(This paragraph was modified by the Law of May 11, 2017)

2. The same acts, if committed in the following circumstances, shall be punishable by imprisonment for a term from two to eight years:

2.1. being award of a juvenile, pregnant women as victims

2.2. committed against two or more persons;

2.3. committed by organized crime group.

Legal meaning of terms: - In consideration of this crime to be committed against a juvenile or minor, it shall not be required the commitment through the means specified in the paragraph 1 of this article.

13.3. Taking a hostage

1. Taking on holding a person as a hostage in purposes of forcing the State, legal entity, or a citizen, to commit certain actions, or to not commit a certain action, as a condition of that hostage's release with the use of violence which is dangerous for life or health shall be punishable by imprisonment for a term from two to eight years.

2. If the same act has been committed in the following circumstances, it shall be punishable by imprisonment for a period from two to eight years:

2.1. being aware of a juvenile, pregnant women as victims;

2.2. committed against two or more persons;

2.3. committed by organized crime.

Legal meaning of terms: - A person, who voluntarily released a hostage, shall be exempt from criminal responsibility, unless his actions contained elements of another crime.

Article. 13.4 Forced disappearance

1. Illegal detention of a person that does not have elements of a crime against the criminal procedure shall be punishable by a fine equal to from one thousand three hundred to ten thousand units of amount or penalty of limitation of free travel right from six months up to two years, or imprisonment for a term from six months to two years.

2. If damage and harm lacking characteristics of crimes specified in the Special part of this Code caused to lawful interests of others due to concealing of information about illegal detention, unlawful hide and limitation of rights, or confinement, restriction of freedoms, limitation of freedoms of an official authorized to undertake investigation process or prosecutor or judge by refusing to provide with information, it shall be punishable by imprisonment for a term of one to three years.

3. If the same act has been committed in the following circumstances, it shall be punishable by imprisonment for a period from two to eight years:

3.1. being award of a juvenile, pregnant women as victims;

3.2. committed against two or more persons.

4. The same acts, if committed:

4.1. by an organized criminal group

4.2. with infliction of serious health injuries, caused the loss of human life shall be punishable by imprisonment for five to twelve years.

(This paragraph was modified and edited by the Law of May 11, 2017)

Article 13.5 Threat

1. Threatening others to commit the certain action or do not and forcing him/her or close relatives or dissemination of documents or information that may be harmful for someone's legal rights and interests shall be punishable by a fine equal to from four hundred and fifty up to two thousand seven hundred units of amount, or from two hundred and forty up to seven hundred and twenty hours of community service, or a penalty of limitation of free travel right for a term from one up to six months.

(This paragraph was modified by the Law of May 11, 2017)

2. The same crime committed:

2.1. by a group;

2.2. applying weapon or items used as specially prepared shall be punishable by a fine from one thousand three hundred and fifty to ten thousand units of amount, or a penalty of limitation of free travel right for a term from three months up to two years, or imprisonment for a term from three months to two years.

3. The same crime committed:

3.1. abusing of authority

3.2. by an organized criminal group shall be punishable by a penalty of limitation of free travel right for a term from one up to five years, or imprisonment for a term from one up to five years.

Article 13.6 Illegal entry into a house of others

(The title of this article was modified by the Law of May 11, 2017)

1. Illegal entry into a house against the will of a person residing in it or infringement upon inviolability of housing without the consent of owner shall be punishable by a fine equal to from four hundred and fifty up to five thousand four hundred units of amount, or from two hundred and forty to seven hundred and twenty hours of community service or a penalty of limitation of free travel right for a term from one to six months.

(This paragraph was modified by the Law of May 11, 2017)

2. The same crime committed with use of force or threat, or illegal entry into a house, searching and confiscation of property by an authorized officer who violates the grounds and procedures prescribed by Law shall be punishable by a fine equal to five thousand four hundred up to twenty-seven thousand units of amount, or imprisonment for a term from one to five years.

(This paragraph was modified by the Law of May 11, 2017)

Legal meaning of terms: The term "house" refers to a variety of apartments, houses, yurts, huts, hotels, resorts, camps or tents for person's permanent or temporary living as specified in this Code.

Article 13.7 Illegal searching, confiscating or sealing

1. Illegal search of a person or transportation, confiscation or sealing of property by an authorized officer who violates the grounds and procedures prescribed by the Code shall be punishable by a fine equal to from four hundred and fifty up to five thousand four hundred units of amount, or two hundred and forty to seven hundred and twenty hours of community service, or a penalty of limitation of free travel right for a term from one months to one year.

(This paragraph was modified by the Law of May 11, 2017)

2. The same crime committed with the lucrative or personal motives, out of revenge shall be punishable by a fine equal to five thousand four hundred up to twenty seven thousand units of amount, or a penalty of limitation of free travel right for a term of one up to five years or imprisonment for a term of one up to five years.

Article 13.8 Taking photos, doing audio and video records without permission, transmitting and disseminating

(The title of this article was modified by the Law of May 11, 2017)

1. Transmitting or presenting to public photos, audio and video records of a person's dwelling, private premises or indoor space of a house done with technical means without a consent of an owner from inside or outside shall be punishable by a fine equal to from four hundred and fifty to two thousand seven hundred units of amount, or two hundred and forty to seven hundred and twenty hours of community service, or a penalty of limitation of free travel right for a term from one to six months.

(This paragraph was modified by the Law of May 11, 2017)

2. Dissemination of photographs, audio and visual recordings made in accordance with paragraph one of this article to the public shall be punishable by a fine equal to four hundred fifty up to two thousand seven hundred units of amount, or a penalty of limitation of free travel right for a term of one up to six months, or imprisonment for a term of one up to six months.

(This paragraph was invalidated by the Law of May 11, 2017)

3. Taking photos, audio and video records of a person's dwelling, private premises or indoor space of a house without a consent of an owner from inside or outside by an authorized officer who violates the grounds and procedures prescribed by Law shall be punishable by a fine equal to from four hundred fifty to two thousand seven hundred units of amount, or from two hundred and forty to seven hundred and twenty hours of community service, or a penalty of limitation of free travel right for a term from one to six months.

(This paragraph was modified by the Law of May 11, 2017)

4. An act of an authorized officer of dissemination of photos, audio and video records or audio-video records in violation of the grounds and procedures prescribed by the Code that does not have characteristics of the crime of disclosing secrets of a criminal investigation shall be punishable by deprivation of the right to hold specified position or engage specified business for a term up to one year, or imprisonment for a term from one to six months.

(This paragraph was modified by the Law of May 11, 2017)

Legal meaning of terms: - "Authorized officers" referred to in this Chapter are those who are authorized to carry out investigations, inquiry, conflict resolution activity or administrative tasks in accordance with the law.

(The Legal meaning of term of this article was added by the Law of May 11, 2017)

Article 13.9. An Illegal detaining, detention

1. Violating an individual's freedom, arresting or detaining by a competent authority infringing the grounds and procedures prescribed in this Code shall be punishable by a fine equal to from four hundred and fifty to five thousand four hundred units of amount, or two hundred and forty to seven hundred twenty hours of community work, or a penalty of limitation of free travel right for a term of a month up to one year.

(This paragraph was modified by the Law of on May 11, 2017)

2. The same crime committed for revenge, with a lucrative motive, or the private purpose shall be punishable by a fine equal to from five thousand four hundred to twenty-seven thousand units of amount with deprivation of the right to hold specified positions or engage specified business for a term from one to five years, or a penalty of limitation of free travel right for a term from one to five years, or imprisonment for a term from one to five years.

Article 13.10. Interference to Privacy

1. Illegal acquisition, distribution of legally protected information concerning private life of a person shall be punishable by a fine equal to from four hundred and fifty to five thousand four hundred units of amount, or a penalty from two hundred and forty to seven hundred and twenty hours of community service, or a penalty of limitation of free travel right for a term from one month to one year.

(This paragraph was modified by the Law of May 11, 2017)

2. The same crime committed:

2.1. using communication and electronic means;

2.1. by a competent authority with infringement of the grounds and procedures prescribed in this Code shall be punishable by a fine equal to from five thousand four hundred to twenty-seven thousand units of amount, or a penalty of limitation of free travel right for a term from one to five years, or imprisonment for a term from one to five years.

Article 13.11 Disclosure of personal information

1. If a person, who acquired legally protected personal information of an individual, discloses it without his/her permission, it shall be punishable by a fine equal to from four hundred and fifty to five thousand four hundred units of amount, or two hundred and forty to seven hundred and twenty hours of community service, or a penalty of limitation of free travel right for a term from one month to one year.

(This paragraph was modified by the Law of May 11, 2017)

2. The same crime committed by a medical expert, an educator, lawyer, law enforcement officer, notary, social worker, public servant, psychologist, mediator, bank officer or auditor who has learnt such personal, business or commercial secrets by virtue of his/her job or position shall be punishable by a fine equal to from five thousand four hundred to twenty seven thousand units of amount, or a penalty of limitation of free travel right for a term from one to five years, or imprisonment for a term from one to five years.

Article 13.12 Illegal persecution

1. Illegal persecuting others by an officer not authorized to undertake a criminal investigation shall be punishable by a penalty of limitation of free travel right for a term from six months to one year, or imprisonment for a term from one to five years.

(This paragraph was modified by the Law of May 11, 2017)

2. Criminal investigation with infringement of the Law during the course of his/her job, or persecution by an authorized officer using office facilities for private purposes shall be punishable by a fine equal to from five thousand four hundred to twenty-seven thousand units of amount, or imprisonment for a term from one to five years.

Article 13.13 Forced labor

1. Forced labor with the use of violence or threat of such, coercion of obviously detrimental condition, or subduing others by taking advantages of their wealth, health, disability, notorious family condition or other difficulties shall be punishable by a fine equal to from five thousand four hundred to twenty seven thousand units of amount, or from two hundred and forty to seven hundred and twenty hours of community service, or a penalty of limitation of free travel right for a term from one to five years, or imprisonment for a term from one to five years.

(This paragraph was modified by the Law of May 11, 2017)

CHAPTER FOURTEEN

CRIMES AGAINST PERSONAL, POLITICAL RIGHTS AND FREEDOMS

Article 14.1 Discrimination

1. Discrimination persons or restriction of human rights and freedoms on the basis of ethnic origin, language, race, age, sex, social origin or status, property, occupation or post, religion, opinion, or education, sexual orientation, gender, health condition shall be punishable by a fine equal to from four hundred and fifty to five thousand four hundred units of amount, or from two hundred forty to seven hundred and twenty hours of community service, or a penalty of limitation of free travel right for a term from one month to one year.

(This paragraph was modified by the Law of on May 11, 2017)

2. The same crime committed:

2.1. by a group;

2.2. with use of force;

2.3. with abuse of authority shall be punishable by a fine equal to from five thousand four hundred to twenty-seven thousand units of amount, or a penalty of limitation of free travel right for a term from one to five years, or imprisonment for a term from one to five years.

Article 14.2 Prevention of obtaining and access to information

1. Preventing the implementation of civil rights to obtain and access to information on matters which are not legally required to be protected as a secret by the State and its bodies with the use of force or threat of such shall be punishable by a fine equal to from four hundred to two thousand seven hundred units of amount, or from two hundred and forty to seven hundred and twenty hours of community service, or a penalty of limitation of free travel right for a term from one to six months.

(This paragraph was modified by the Law of May 11, 2017)

Article 14.3 Violation of the freedom of expression or press

1. An action of using force, or threatening to use force, or refusing to publish by paying, to the publisher's lawful activity for the purposes to disseminate or conceal any confidential information related to a person, or threatening to cause serious harm to the rights and legitimate interests, shall be punishable by a fine equal to from four hundred p to two thousand seven hundred units of amount, or from two hundred and forty to seven hundred and twenty hours of community service, or a penalty of limitation of free travel right for a term from one to six months.

(This paragraph was modified by the Law of May 11, 2017)

Article 14.4 Prevention of implementation of the freedom of conscience and religion

1. Preventing the operation of religious organization or performance of religious rituals by using of violence or threat of such, or threatening to inflict serious harm to his/her rights and legitimate interests shall be punishable by a fine equal to from four hundred and fifty to two thousand seven hundred units of amount, or from two hundred and forty to seven

hundred and twenty hours of community service, or a penalty of limitation of free travel right for a term from one to five months.

(This paragraph was modified by the Law of May 11, 2017)

2. An action of religious organization, representative, preacher to accept, persuade, decisively join religious ideology, or propaganda of religious brutal notions shall be punishable by a fine equal to from four hundred and fifty to five thousand four hundred units of amount, or a penalty of limitation of free travel right for a term from six months to one year, or imprisonment for a term from six months to one year.

(This paragraph was modified and added by the Law of May 11, 2017)

Article 14.5 Prevention from the exercise of suffrage or of the work of the election commission

1. A Deliberate prevention from the exercise of the right to elect or be elected, to participate in the referendum or of the work of the election commissions shall be punishable by a fine equal to four hundred fifty up to five thousand four hundred units of amount, or two hundred forty up to seven hundred twenty hours of community work or a penalty of limitation of free travel right for a term one month up to one year.

(This paragraph was modified by the Law of May 11, 2017)

2. The same crime committed in the following ways:

2.1. with use of violence or threat wish such;

2.2. by fraud;

2.3. by using money or property to buy votes shall be punishable by a fine equal to from five thousand four hundred to twenty seven thousand units of amount, or a penalty of limitation of free travel right for a term from one year to five years, or imprisonment for a term from one year to five years.

Article 14.6 Additional vote for elections and referendum

1. Voting more than once in the election and referendum of the President, the State Great Hural, the Local Citizens' Representatives of Mongolia, or organizing such action shall be punishable by a fine equal to from four hundred and fifty to five thousand four hundred units of amount, or from two hundred and forty to seven hundred and twenty hours of community service or a penalty of limitation of free travel right for a term from one month to one year.

(This paragraph was modified by the Law of May 11, 2017)

2. Illegal preparation, storage, transportation or use of election and referendum ballot papers shall be punishable by a fine equal to from five thousand four hundred to twenty seven thousand units of amount, or a penalty of limitation of free travel right for a term from one to five years, or imprisonment for a term from a year to five years.

Article 14.7 Illegal affect to election or referendum, or incorrect count of votes

1. Advertising a political party, a party coalition, a candidate; a deliberately preventing citizen's right to vote or count of votes; voting on behalf of others, intentionally breaking the seal of ballot box, forfeiting a signature, changing ballot papers or organizing, instigating and supporting use of invalid ballot papers; incorrect count of votes by a chairman, a member or other officers of election and referendum commission shall be punishable by a fine equal to from five thousand four hundred to twenty seven thousand units of amount, or a penalty of limitation of free travel right for a term from one to five years, or imprisonment for a term from one to five years.

Article 14.8 Dissemination of a deliberate false report during the course of election

1. Dissemination of a deliberate or definite false report during the course of election with infringement of dignity of political parties, party coalitions and candidates shall be punishable by a fine equal to from four hundred and fifty to five thousand four hundred units of amount, or from two hundred and forty to seven hundred twenty hours of community service, or a penalty of limitation of free travel right for a term from one month to one year.

(This paragraph was modified by the Law of May 11, 2017)

2. The same crime committed by a public servant, an officer or an employee of the election committee shall be punishable by a fine equal to from one thousand three hundred and fifty to ten thousand four hundred units of amount with deprivation of the right to be appointed to public service for a term from one to three years, or a penalty of limitation of free travel right for a term from six months to two years, or imprisonment for a term from six months to two years.

(This paragraph was modified by the Law of May 11, 2017)

Article 14.9 A plot with a view of illegal election

1. Preparing or organizing the crimes specified in articles 14.5, 14.6, 14.7 of this Code with a view to illegally affect to the results of election shall be punishable by a fine equal to from ten thousand to forty thousand units of amount, or imprisonment for a term from two to eight years.

CHAPTER FIFTEEN

CRIMES AGAINST HEALTH

Article 15.1 Non-provision of aid

1. Failure of a medical profession to perform the duty to provide medical aid and to a patient without a valid reason or provision of an improper aid that has resulted in harm shall be punishable by a fine equal to from four hundred to two thousand seven hundred units of amount with deprivation of the right to hold specified positions or engage specified business for a term of up to a year, or from two hundred and forty to seven hundred hours of community service, or a penalty of limitation of free travel right for a term from six months to one year.

2. The same crime, if it has caused grave harm to health of the patient, shall be punishable by deprivation of the right to hold specified positions or engage specified business for a term from one to three years, a fine equal to from two thousand seven hundred to five thousand four hundred units of amount, or from two hundred and forty to seven hundred hours of community service, or a penalty of limitation of free travel right for a term from six months to three years.

3. The same crime, if it has caused death of the patient, shall be punishable by deprivation of the right to hold specified positions or engage specified business for a term from one to three years, a fine equal to from five thousand four hundred to fourteen thousand units of amount, or a penalty of limitation of free travel right for a term from one to five years, or imprisonment for a period from one to five years.

(This article was modified by the Law of May 11, 2017)

Article 15.2 Negligence, non-provision of aid to a person who is in a condition endangering his/her life or health

1. Causing of grave harm to health of a victim in consequence of deliberate negligence, non-provision of aid under law or act, deal of administrative norms in conformity therewith the law or mutual trust to juvenile, elderly, disabled, injured or other people who are in need of assistance, care due to illness, that are in a condition endangering their life or health shall be punishable by a fine equal to from two thousand seven hundred to five thousand four hundred units of amount, or a penalty of limitation of free travel right for a term from six months to one year, or imprisonment for a period from six months to one year.

(This paragraph was modified by the Law of May 11, 2017)

2. Due to the same crime, if:

2.1. It has been caused grave harm to health of a victim;

2.2. It has been caused death of a victim, the crime shall be punishable by a fine equal to from five thousand four hundred to twenty seven thousand units of amount, or imprisonment for a term from one to five years.

(This paragraph was modified by the Law of May 11, 2017)

Article 15.3 Illegal taking of human blood, tissues or organs

(The title of this article is modified by the Law of January 19, 2018)

1. Taking of human blood or tissues by use of violence or threat of such or deceit shall be punishable by imprisonment for a term from one to five years.

(This paragraph is modified by the Law of January 19, 2018/)

2. Taking of human organs by use of violence or threat of such or deceit shall be punishable by imprisonment for a term from two to eight years.

3. The crimes specified in paragraphs one and two of this article committed by taking advantages of his/her wealth, health, disability, dysfunctional family or other difficulties in the life, a person who is unable to defend oneself, or using superiority over the victim, or it has caused death of a victim due to the same crime shall be punishable by imprisonment for a term from five to twelve years.

(This paragraph was modified by the Law of May 11, 2017)

Article 15.4 Preparation or transplantation of human blood, organ, or tissue in inadequate conditions

(The title of this article is modified by the Law of January 19, 2018)

1. Preparation or transplantation of human blood, organ, or tissue in the inadequate conditions by a medical officer with such consequences as death, grave harm to health of a victim shall be punishable by a fine equal to from ten thousand to forty thousand units of amount, or imprisonment for a term from two to eight years.

(This paragraph is modified by the Law of January 19, 2018)

Article 15.5 Illegal abortion

1. Except for abortion based on the necessity to save the life and health of a pregnant woman under the medical conditions, a forced abortion against the will of the victim shall be punishable by imprisonment for a term from one to five years.

2. Illegal abortion in non-medical conditions by a physician with a license to provide medical care and services in the field of obstetrics and gynecology, or illegal abortion that caused grave harm to health of a victim by a person without a license shall be punishable by a fine equal to from five thousand four hundred to twenty seven thousand units of amount, or a penalty of limitation of free travel right for a term from one up five years, or imprisonment for a term from one to five years.

3. The crimes specified in paragraphs one and two of this article committed causing death of a victim shall be punishable by imprisonment for a term from two to eight years.

4. The same crime committed on behalf of a legal person for the interests of the legal person shall be punishable by a fine equal to from twenty thousand to one hundred thousand units of amount with deprivation of the right to engage specified business for a term of up to three years.

(This paragraph was invalidated by the Law of May 11, 2017)

Article 15.6 Infecting with AIDS or infectious diseases that may be harmful to others

(The title of this article is modified by the Law of May 11, 2017)

1. Intentionally infecting others with infectious diseases that may be harmful to others or AIDS shall be punishable by a penalty of limitation of free travel right for a term from one to five years, or imprisonment for a term from one to five years.

(This paragraph is modified by the Law of May 11, 2017)

2. The same crime committed:

2.1. against two or more persons;

2.2. against a child shall be punishable by imprisonment for a term from two to eight years.

CHAPTER SIXTEEN

CRIMES AGAINST CHILDREN

Article 16.1 Involving children into criminal actions

1. Involving children into criminal activities by using force, threat of such, deceit or taking advantages of their wealth, health, disability, dysfunctional family or other difficulties in the life shall be punishable by a penalty of limitation of free travel right from one to five years, or imprisonment for a term from one to five years.

2. Involving children into an organized group or a criminal organization or the crime, for which a penalty for a term of more than eight years is imposed, shall be punishable by imprisonment for a term from two to eight years.

Article 16.2 Involving children into heavy drinking, drug abuse, addiction

1. Involving children into heavy drinking, drug abuse, addiction shall be punishable by a fine equal to from five thousand four hundred to twenty seven thousand units of amount, or a penalty of limitation of free travel right from one to five years, or imprisonment for a term from one to five years.

2. The same crime committed causing a severe damage to victim's health or the death shall be punishable by imprisonment for a term from five to twelve years.

(This paragraph was modified by the Law of May 11, 2017)

Article 16.3 Abandonment, vagrancy of a child or deliberate action to get a child lost

1. Evasion of guardians' legal duty, abandonment, a deliberate action to get children lost somewhere from which home cannot be found, eviction of children residence or vagrancy shall be punishable by a fine equal to from five thousand four hundred to twenty seven thousand units of amount, or from two hundred and forty to seven hundred and twenty hours of

community service, or a penalty of limitation of free travel right from one to five years, or imprisonment for a term from one to five years.

(This paragraph was modified by the Law of May 11, 2017)

2. The same crime committed causing a severe damage to victim's health or the death shall be punishable by imprisonment for a term from five to twelve years.

Article 16.4 Involving children in to beggary

1. Involving regularly children into beggary by using force, threat of such, deceit or taking advantages of their wealth, health, disability, dysfunctional family or other difficulties in the life shall be punishable by two hundred and forty to four hundred and eighty hours of community service, or a penalty of limitation of free travel right from one to five years, or imprisonment for a term from one to five years.

Article 16.5 Switching of children

1. Intentional switching of a child shall be punishable by a fine equal to from five thousand four hundred to twenty seven thousand units of amount, or from two hundred forty to seven hundred and twenty hours of community service, or a penalty of limitation of free travel right from one to five years, or imprisonment for a term from one to five years.

Article 16.6 Child traffic

1. Sale of own born, adopted or raised child, in the absence of the signs of crime specified in article 13.1 of this Code shall be punishable by a fine equal to from ten thousand to forty thousand units of amount, or imprisonment for a term from two to eight years.

Article 16.7 Child maltreatment

1. Physical, psychological repeated maltreatment of a child for actions or inactions by a person who has reached the age of legal adulthood shall be punishable by a fine equal to from four hundred and fifty to thirteen thousand units of amount, or from two hundred and forty to seven hundred and twenty hours of community service, or a penalty of limitation of free travel right from one to three months.

2. The same crime committed by a teacher, an educator or a guardian shall be punishable by a fine equal to from four hundred to two thousand seven hundred units of amount, or from two hundred and forty to seven hundred and twenty hours of community service, or a penalty of limitation of free travel right from 1 to 6 months.

(This article was modified by the Law of May 11, 2017)

Article 16.8 Advertising and dissemination of pornography or prostitution, inducement to a child

1. Intentional display, delivery, advertisement of the press, literature, photo, film, video tapes and other items that advertising pornography to a child, a deliberate action that makes a child commit pornography, or suggestion of prostitution or sexual intercourse to a child shall be punishable by a fine equal to from two thousand seven hundred to five thousand four hundred units of amount, or from two hundred and forty to seven hundred and twenty hours of community service, or a penalty of limitation of free travel right from six months to one year, or imprisonment for a term from six months to one year.

(This paragraph was modified by the Law of May 11, 2017)

Article 16.9 Advertising and dissemination of pornography or prostitution involving a child

1. Preparation, dissemination, sale, storage of the press, literature, photo, films, video tapes and other items that advertise pornography shall be punishable by a fine equal to from five thousand four hundred to twenty seven thousand units of amount, or a penalty of limitation of free travel right from one to five years, or imprisonment for a term from one to five years.

2. The same crime committed:

2.1. using of internet network;

2.2. against a juvenile shall be punishable by a fine equal to from ten thousand to forty thousand units of amount, or imprisonment for a term from two to eight years.

Article 16.10 Child forced labor

1. Deliberately forcing a child to prohibited labor that pose a danger, and causing damage to children's health, physique and mind shall be punishable by a fine equal to from two thousand seven hundred to five thousand four hundred units of amount, or from two hundred forty to seven hundred and twenty hours of community service for community, or a penalty of limitation of free travel right from six months to one year, or imprisonment for a term from six months to one year.

(This paragraph was modified by the Law of May 11, 2017)

Article 16.11 Violation of guardian's duties

1. Causing a severe damage to health of a child in result of violation of guardian's legal duties by the parents, custodians or guardians shall be punishable by a fine equal to from four hundred and fifty to five thousand four hundred units of amount, or from two hundred and forty to seven hundred and twenty hours of community service, or a penalty of limitation of free travel right for a term from six months to one year, or imprisonment for a term from six months to one year.

(This paragraph was modified by the Law of May 11, 2017)

2. The same crime committed causing a severe damage to health of a child shall be punishable by a fine equal to from five thousand four hundred to twenty seven thousand units of amount, or a penalty of limitation of free travel right for a term from one to five years, or imprisonment for a term from one to five years.

3. The same crime, if it has entailed death of a child, shall be punishable by imprisonment for a term from two to eight years.

CHAPTER SEVEN

CRIMES AGAINST THE RIGHT OF OWNERSHIP

Article 17.1 Theft

1. Stealing of others' property without use of violence by the way of secret or illegally shall be punishable by two hundred and forty to seven hundred and twenty hours of community service, or a penalty of limitation of free travel right for a term from six months to five years, or imprisonment for a term from six months to five years.

(This paragraph was modified by the Law of May 11, 2017)

2. The same crime committed:

2.1. by theft with entry into a building for permanent residence or specially protected place or storage place;

2.2. Stealing specially protected items which were considered as important to the development of history, culture, science, techniques and technology;

2.3. Causing serious damage or stealing large amount of property;

2.4. Using arm or other items as especially prepared arms, machinery with the purpose of elimination of forthcoming obstacles shall be punishable by imprisonment for a term from two to eight years.

3. The same crime committed:

3.1. Repeatedly, making the source of life.

3.2. By an organized criminal group shall be punishable by imprisonment for a term from five to twelve years.

Legal meaning of terms: - The same crime specified by in the paragraph one of this article that caused less damage shall not be considered as a crime. This legal meaning of term does not apply to paragraphs two and three of this article.

(Legal meaning of term of this article was modified by the Law of May 11, 2017)

Article 17.2. Robbery

1. Appropriating property of others explicitly, without violence, illegally shall be punishable by limitation of free travel right for a term from six months to five years, or imprisonment for a term from six months to five years.

(This paragraph was modified by the Law of May 11, 2017)

2. Assault with use of violence, or by a threat of violence to appropriate property of others shall be punishable by imprisonment for a term from two to eight years.

3. If the same crime was committed:

3.1. on a permanent basis and became a source of living;

3.2. with use of a firearm or other specially prepared tools as an arm;

3.3. by an organized criminal group shall be punishable by imprisonment for a term from five to twelve years.

(This paragraph was modified by the Law of May 11, 2017)

Article 17.3. Fraud

1. Appropriation of a property or acquisition of the property rights of possessor, user or owner by fraudulent, or using document, stuff, electronic tools, or intentionally created an artificiality, or taking an opportunity through religious beliefs, or misleading others in a way of hiding reality, or abusing a trust which has arisen in a former relationship or reputation shall be punishable by a fine equal to four hundred and fifty to fourteen thousand units, or community service for a term from two hundred and forty to seven hundred twenty hours, or limitation of free travel right for a term from six months to three years, or imprisonment for a term from six months to three years.

(This paragraph was modified by the Law of May 11, 2017)

2. If the same crime was committed:

2.1 using of authority;

2.2 Causing a serious or substantial damage to others, it shall be punishable by a fine equal to from ten thousand to forty thousand units or imprisonment for a term from two to eight years.

(This paragraph was modified by the Law of May 11, 2017)

3. If the same crime was committed:

3.1 on a permanent basis and became a source of living;

3.2 with a fraudulent method of multistage marketing, pyramid systems;

3.3 by an organized criminal group shall be punishable by imprisonment for a term from five to twelve years.

Legal meaning of terms: If a person who obtained others property according to a method specified paragraph 1 of this Article has returned the property to possessor or owner, or restored the property rights in other ways, the fraud crime shall not be deemed as committed.

/Legal meaning of term of this paragraph was considered invalid by the Law of May 11, 2017)

Article 17.4. Misappropriation of property

1. Misappropriation of others property or property rights committed by a person to whom such property was entrusted shall be punishable by a fine equal to from two thousand seven hundred to fourteen thousand units, or engagement of community service for a term from two hundred and forty to seven hundred and twenty hours, or limitation of free travel right for a term from six months to three years, or imprisonment for a term from six months to three years.

(This paragraph was modified by the Law of May 11, 2017)

2. If the same crime was committed:

2.1. Using of authority;

2.2. Causing to others a damage in a serious or substantial amount, it shall be punishable by a fine equal to from ten thousand to forty thousand units or imprisonment for a term from two to eight years.

(This paragraph was added by the Law of May 11, 2017)

3. If the same crime was committed by an organized criminal group, it shall be punishable by imprisonment for a term from five to twelve years.

Legal meaning of terms: If small amount of damage was caused by the actions referred in paragraph 1 of this article, it shall not be deemed a crime. This Legal meaning of term does not apply to paragraphs 2 and 3 of this article.

(Legal meaning of term of this paragraph was added by the Law of May 11, 2017)

Article 17.5. Appropriation of the wrong transaction, mistaken delivery, lost property and lost livestock

1. Appropriation of the payment caused from the wrong transaction, mistaken delivery or property, lost property or livestock, which knowingly is in other's ownership or possession, resulted in more than a small amount of damage shall be punishable by a fine equal to from four hundred and fifty to two thousand seven hundred units, or community service for a term from two hundred and forty to seven hundred twenty hours, or limitation of free travel right for a term from one month to six months.

2. If the same crime specified paragraph 1 of this article was committed and caused a serious or substantial damage to others, shall be punishable by imprisonment for a term from six months to two years.

(This paragraph was modified by the Law of May 11, 2017)

Article 17.6. Threaten to remove property

1. Demanding transfer of property, material or non-material rights of property under a violence or a threat of violence in respect with the victim or his/her close relatives, spreading of document or information which might cause a serious damage to victim's or his/her close relatives' right or legitimate interests shall be punishable by a fine equal to from ten thousand to forty thousand units or by imprisonment for a term from two to eight years.
2. If the same crime was committed:
 - 2.1. on a permanent basis and became a source of living;
 - 2.2. by abuse of the authority's official duty, power or influence;
 - 2.3. by an organized criminal group, it shall be punishable by imprisonment for a term from five to twelve years.

Article 17.7. Taking/Driving away vehicles/automobile without permission

1. Taking away of a motor vehicle without intention of its misappropriation or without consent of an owner or possessor, if such is not deemed as a crime of theft or robbery, it shall be punishable by a fine equal to from four hundred and fifty to one thousand three hundred and fifty units, or community service for a term from two hundred and forty to seven hundred and twenty hours, or by limitation of free travel right for term from one month to six months.

(This paragraph was modified by the Law of May 11, 2017)

Article 17.8. Destruction or damage of property

1. If an illegal destruction or damage of other's property has caused more than a small amount of damage, it shall be punishable by a fine equal to from four hundred and fifty to five thousand four hundred and fifty units, or community service for a term from two hundred and forty to seven hundred and twenty hours, or limitation of free travel right for a term from one month to one year.

(This paragraph was modified by the Law of May 11, 2017)

2. Destruction or damage of public owned roads, electricity, heat, telecommunication, special tools or equipment designated to prevent accidents or events of disaster shall be punishable by a fine equal to from one thousand three hundred and fifty to ten thousand units, or by limitation of free travel right for a term from six months to two years, or imprisonment for a term from six months to two years.

(This paragraph was modified by the Law of May 11, 2017)

3. If the same crime was committed:
 - 3.1. in a way, that may cause a danger of harm to lives of many people, their health or property;
 - 3.2. Causing a substantial amount of damage to others shall be punishable by a fine equal to from ten thousand to forty thousand units, or imprisonment for a term from two to eight years.

Article 17.9. Negligence with respect to protection of others' property

1. Causing serious damages to others' property due to a failure of proper performance of the obligation to secure or protect the property shall be punishable by a fine equal to from two thousand seven hundred to five thousand four hundred units, or community service for a term of two hundred and forty to seven hundred and twenty hours, or limitation of free travel right for a term from six months to one year, or imprisonment for a term from six months to one year.

(This paragraph was modified by the Law of May 11, 2017)

Article 17.10. Violation of the right of an owner by notary, state registrar

1. If notary has certified, or state registrar has registered, the knowingly illegal transaction regarding limitation or transfer of the ownership right causing a serious or substantial amount of damage to others' property, material or non-material property rights, it shall be punishable by a fine equal to from five thousand four hundred to twenty seven thousand units, or by a imprisonment for a term from one to five years.

(This paragraph was added by the law May 11, 2017)

Article 17.11. Unintentional destruction, damage or loss of property

1. If unintentional destruction, damage or loss of public owned roads, electricity, heat, telecommunication, special tools or equipment designated to prevent from accidents or events of disaster have caused more than a small amount of damage, it shall be punishable by a fine equal to from four thousand fifty hundred to seven thousand two hundred units,

or community service for a term of two hundred and forty to seven hundred and twenty hours, or limitation of free travel right for a term from one to six months.

2. If unintentional damage to others' property has caused a serious amount of damage, it shall be punishable by a fine equal to four hundred and fifty to five thousand four hundred units, or community service for a term of two hundred and forty to seven hundred and twenty hours, or limitation of free travel right for a term from one to six months.

(This paragraph was modified by the Law of May 11, 2017)

Article 17.12. Theft of livestock

1. Stealing of others' livestock shall be punishable by two hundred and forty to seven hundred and twenty hours of community service, or limitation of free travel right for a term from six months to five years, or imprisonment for a term from six months to five years.

2. Stealing large number of livestock of others shall be punishable by imprisonment for a term from two to eight years.

3. If the same crime was committed:

3.1. on a permanent basis and became source of living;

3.2. by an organized criminal group, it shall be punishable by imprisonment for a term from five to twelve years.

Legal meaning of terms: In this Article, "livestock" means sheep, goat, horse, cow and camel.

- In this Article, "large number of livestock" means more than twenty four small livestock and eight large livestock. One large livestock is equal to three small livestock.

(This paragraph was modified by the Law of May 11, 2017)

CHAPTER EIGHTEEN.

ECONOMIC CRIMES

Article 18.1. Illegal use of monopoly and dominant position in the market

1. If for the purpose of eliminating or restricting market competition, natural monopolistic enterprisers or dominant enterprisers have entered into collusion agreement and created artificial shortage of production, halted or restricted the production or sale of goods, fixed excessive price unreasonably, sold goods and products at lower than cost prices in order to prevent other enterprisers from entering that market or to drive them out from the market, or caused substantial amount of damage to others in a way of hindering other enterpriser or citizen's business activity of coming on the market, it shall be punishable by a fine equal to from four hundred and fifty to five thousand four hundred units, or community service for a term from two hundred and forty to seven hundred and twenty hours, or limitation of free travel right for a term from one month to one year.

(This paragraph was modified by the Law of May 11, 2017)

2. If the same crime was committed on behalf of a legal person, for the benefit of a legal person, the legal person shall be punishable by a fine equal to from ten thousand to eighty thousand units.

Article 18.2. Affecting the rate of foreign and national currency

1. Spreading fake information, or purchasing, selling and making transaction of foreign and national currency for a purpose of artificially increasing and decreasing foreign and national currency's exchange rate shall be punishable by a fine equal to from four hundred fifty to fourteen thousand units, or limitation of free travel right for a term from six months to three years, or imprisonment for a term from six months to three years.

(This paragraph was modified by the Law of May 11, 2017)

2. If the same crime was committed:

2.1. by abuse of the authority's official duty, power or influence;

2.2. by an organized criminal group, it shall be punishable by imprisonment for a term from one to five years.

3. If the same crime was committed on behalf of a legal person, for the benefit of a legal person, the legal person shall be punishable by a fine equal to from twenty thousand to one hundred and twenty thousand units.

Article 18.3. Tax evasion

1. Concealing and intentional wrong reporting of a substantial amount of taxable income, property, goods or service for the purpose of tax evasion by a tax payer citizen, executive authority of a legal person shall be punishable by a

fine equal to from four hundred fifty to five thousand four hundred units, or community services for a term from two hundred and forty to seven hundred and twenty hours, or limitation of free travel right for a term from one month to one year.

(This paragraph was modified by the Law of May 11, 2017)

18.4 Infringement of the rights of the holders of an invention, industrial design, utility model certificate

1. Producing, storing, transporting, selling and crossing of the state frontier of the invention, industrial design, creation covered by an utility model certificate without patent holder's consent that causes more than a small amount of damage shall be punishable by a fine equal to from two thousand seven hundred to five thousand four hundred units, or community service for a term from two hundred and forty to seven hundred and twenty hours, or limitation of free travel right for a term from one month to six months, or imprisonment for a term from six months to one year.

2. If the same crime was committed:

2.1. by an organized criminal group;

2.2. on a permanent basis, it shall be punishable by a fine equal to from two thousand seven hundred to fourteen thousand units, or community service for a term from two hundred and forty to seven hundred and twenty hours, or limitation of free travel right for a term from six months to three years, or imprisonment for a term from six months to three years.

(This paragraph was modified by the Law of May 11, 2017)

Article 18.5. Smuggling

1. Smuggling of goods which are prohibited or restricted by the law or international treaties of Mongolia through the state border or customs frontier shall be punishable by a fine equal to from four hundred and fifty to seven hundred twenty units, or community service for a term from two hundred and forty to seven hundred and twenty hours, or limitation of free travel right for a term from one month to one year.

(This paragraph was modified by the Law of May 11, 2017)

2. If the same crime was committed:

2.1. by usage of authority

2.2. smuggling of firearms, ammunitions, nuclear elements, radioactive waste or explosives, it shall be punishable by a fine equal to from five thousand four hundred to twenty seven thousand units, or limitation of free travel right for a term from one year to five years, or imprisonment for a term from one year to five years.

3. The same crime, smuggling of cultural heritage, museum exhibits, archeological or paleontological fossils, narcotic drugs, psychotropic substances shall be punishable by a fine equal to from ten thousand to forty thousand units, or imprisonment for a term from two to eight years.

4. If the same crime has been committed by an organized criminal group, it shall be punished by imprisonment for a term from five to twelve years.

5. If the same crime has been committed on behalf of a legal person or for the interest of a legal person, the legal person, it shall be punished by deprivation of the right to conduct a particular activity with a fine from one hundred and twenty thousand to four hundred thousand units.

Article 18.6. Money laundering

1. Whoever received, possessed, used the asset, money or income knowing that they are proceeds of crime or transfer or conversion of such proceeds to conceal their illicit origins, assisted individuals involved in committing crimes to avoid legal liabilities, or disguise their true natures, origins, locations, administration, ownership, and property rights shall be punishable by limitation of free travel right for a term from six months to one year or imprisonment for a term from six months to one year.

(This paragraph was modified by the Law of May 11, 2017)

2. If the same crime has been committed:

2.1. knowing that asset, money or income are proceeds of a crime for which the minimum imprisonment time period specified in the Special part of this Code has been set for more than five years,

2.2. on a permanent basis;

2.3. by abuse of authority's official duty, power and influence, it shall be punishable by limitation of free travel right for a term from one to five years or imprisonment for a term from one to five years.

(This paragraph was modified by the Law of May 11, 2017)

3. If the same crime has been committed by an organizational criminal group, it shall be punishable by imprisonment for a term from five to twelve years.

4. If the same crime has been committed on behalf of legal person or for the interest of a legal person, the legal person shall be punished by deprivation of the right to conduct a particular activity with a fine from one hundred and twenty thousand to four hundred thousand units.

Article 18.7. Making, using of counterfeited money, securities or payment instruments

1. Making or saving, using, transporting, spreading of knowingly counterfeited securities, electronic cards, other payment instruments, excise stamp or financial document shall be punishable by a fine equal to from five thousand four hundred to twenty seven thousand units, or imprisonment for a term from one to five years.

2. Making or using, saving, transporting and spreading of knowingly counterfeited national currency which is used as Mongolian payment instrument, or foreign currency shall be punishable by imprisonment for a term from two to eight years.

3. If the same crime has been committed by an organized criminal group, it shall be punishable by imprisonment for a term from five to twelve years.

4. If the same crime has been committed on behalf of legal person or for the interest of a legal person, the legal person shall be punished by deprivation of the right to conduct a particular activity with a fine from one hundred and twenty thousand to four hundred thousand units.

Article 18.8. Participation in trading activities with illegal use of internal information of securities market

1. Selling or purchasing of securities using publicly unavailable internal information which influences to the price of securities and disclosing internal information to others shall be punishable by a fine equal to from two thousand seven hundred to ten thousand units, or limitation of free travel right for a term from six months to two years, or imprisonment for a term from six months to two years.

(This paragraph was modified by the Law of May 11, 2017)

2. If the same crime has been committed:

2.1. by a group;

2.2. by abuse of authority, it shall be punishable by imprisonment for a term from two to eight years,

3. If the same crime has been committed by an organized criminal group, it shall be punishable by imprisonment for a term from five to twelve years.

4. If the same crime has been committed on behalf of legal person or for the interest of a legal person, the legal person shall be punished by deprivation of the right to conduct a particular activity with a fine from ten thousand to eighty thousand units.

Article 18.9. Abuse of securities market

1. Abuse of the securities market shall be punishable by a fine equal to from two thousand seven hundred to ten thousand units, or limitation of free travel right for a term from six months to two years, or imprisonment for a term from six months to two years.

(This paragraph was modified by the Law of May 11, 2017)

2. If the same crime has been committed by a group shall be punishable by imprisonment for a term from two to eight years.

3. If the same crime has been committed by an organized criminal group, it shall be punishable by imprisonment for a term from five to twelve years.

4. If the same crime has been committed on behalf of legal person or for the interest of a legal person, the legal person shall be punished by deprivation of the right to conduct a particular activity with a fine from ten thousand to eighty thousand units.

Article 18.10. Intentional, fictional bankruptcy

1. Hiding assets, property rights, property obligations, property information and property transactions, or hiding, destroying, modifying accounting records, other payment documents which define economic activity of a legal person or self-employed person with a purpose of intentional bankruptcy shall be punishable by a fine equal to from two thousand seven hundred to five thousand four hundred units, or limitation of free travel right for a term from six months to on year, or imprisonment for a term from six months to one year.

(This paragraph was modified by the Law of May 11, 2017)

2. Causing a damage in substantial amount in the result of false bankruptcy by way of informing the partners about having gone bankrupt, filing a request to an institution of a bankruptcy case by an authorized person or founder of a legal person for the purpose of non-payment of a loan, relieving conditions of its repayment, lowering the loan interest or for non-payment thereof shall be punishable by fine equal to from two thousand seven hundred to five thousand four hundred units, or limitation of free travel right for a term from six months to on year, or imprisonment for a term from six months to one year.

(This paragraph was modified by the Law of May 11, 2017)

3. If the crime stated in paragraph 1 and 2 of this article has been committed on behalf of legal person or for the interest of ta legal person, the legal person shall be punishable by a fine equal to from ten thousand to eighty thousand units.

(This paragraph was modified by the Law of May 11, 2017)

Article 18.11. Illegal bankruptcy

1. If bankrupting a legal person in the absence of a serious ground of bankruptcy, using violence/force, deceit, extreme necessity situation, or caused a bankruptcy by spreading fake news, libeling, intentionally denying to pay the outstanding payment, or getting bankrupted due to civil servant's lack of performing service in accordance with law, inadequate performance of registering, canceled its license without legal justification, refused to grant a license without concrete grounds, unreasonably delayed to grant a permission to engage in business activities shall be punishable by a fine equal to five thousand four hundred to twenty seven thousand units, or community service for a term of two hundred forty to seven hundred twenty hours, or limitation of free travel right for a term of one to five years, or imprisonment for a term of one to five years.

(This paragraph was modified by the Law of May 11, 2017)

Article 18.12 Illegally receiving social welfare and service

1. Illegally receiving the social welfare pension, allowances, service or social development service by way of applying the forgery documents and objects, a deliberate action towards creation of false condition and concealment of the reality shall be punishable by a fine equal to five thousand four hundred to twenty seven thousand units of amount, one hundred forty to one hundred eighty hours of community work, or a penalty of limitation of free travel right for a term of one up to five years, or imprisonment for a term of one up to five years.

2. The same crime committed:

2.1. Abuse of authority;

2.2. By receiving a large amount of social welfare pensions, allowances, services or social development services shall be punishable by a fine equal to ten thousand to forty thousand units of amount with deprivation of the right to hold specified positions or engage in specified business for a term of one up to five years, or imprisonment for a term of two up to eight years.

Article 18.13 Illegal opening of a bank, disruption of bank solvency

1. Opening a bank without permission from the authorized body, or illegally constituting bank-stock shall be punishable by imprisonment for a term of six months up to three years.

2. Actions that has become bank insolvency or caused damage in large amount due to the fact that does not meet the legitimate demands related to the bank solvency and bank assets committed by an authorized officer of banking with lucrative motives or private purpose shall be punishable by imprisonment for a term of one up to five years.

3. Due to crimes specified in paragraph 1 of this article causing damage to others equal to three hundred thousand units of amount tugrug or more than shall be punishable by imprisonment for a term of two up to eight years.

4. The same crime specified in this article was committed on behalf of a legal person for the interests of the legal person shall be punishable by a fine equal to ten thousand to eighty thousand units of amount with deprivation of the right to hold specified positions or engage specified business.

(This article was modified and added by the Law of May 11, 2017)

Article 18.14 Evasion of social insurance premiums

1. Concealing and lying a large amount of income that has imposed social insurance premiums by an authorized officer of legal entity with the purpose of evasion on social insurance premiums shall be punishable by a fine equal to five thousand four hundred to twenty seven thousand units of amount, or a penalty of limitation of free travel right to one up to five years.

(This article was added by the Law of May 11, 2017)

Article 18.15 Illegal receiving an insurance compensation

1. Receiving an insurance compensation by way of a deliberate action towards creation of false condition, concealment of the reality, deliberate false report of the real insurance incidents or damage amount and creating forgery documents shall be punishable by a fine equal to two thousand seven hundred to five thousand four hundred units of amount, or a penalty of limitation of free travel right for a term of six months to one year, or imprisonment for a term of six months to one year.

2. The same crime committed:

2.1. Abuse of authority;

2.2. in a group;

2.3. by receiving a large amount of insurance compensation shall be punishable by a fine equal to five thousand four hundred to twenty seven thousand units of amount, or a penalty of limitation of free travel right for a term of one up to five years, or imprisonment for a term of one up to five years.

(This article was added by the Law of May 11, 2017)

Article 18.16 Violation of the trademark owner and user of a geographical indication rights

1. Deception or confusion of customers by the way of applying the trademark or a geographical indication of others and manufacture, storage, transport, sale, entry through the state frontier of fake products that have caused more than less damage shall be punishable by a fine equal to two thousand seven hundred to five thousand four hundred units of amount, or two hundred forty to seven hundred twenty hours of community work, or a penalty of limitation of free travel right for a term of six months up to one year, or imprisonment for a term of six months up to one year.

2. The same crime committed:

2.1. repeatedly;

2.2. by an organized group or a criminal organization shall be punishable by a fine equal to two thousand seven hundred to fourteen thousand units of amount, or two hundred forty to seven hundred twenty hours of community work, or a penalty of limitation of free travel right for a term of six months up to three years, or imprisonment for a term of six months up to three years.

(This article was added by the Law of May 11, 2017)

Article 18.17 Infringement of copyright

1. Issue under one's own name, illegal reproduction, sale or dissemination, entry through the state frontier of somebody's work that has caused to the author damage in large amount shall be punishable by a fine equal to four hundred fifty to five thousand four hundred units of amount, or two hundred forty to seven hundred twenty hours of community work, or a penalty of limitation of free travel right a term of one month up to one year.

2. The same crime committed:

2.1. repeatedly;

2.2. by an organized group or a criminal organization shall be punishable by a fine equal to five thousand four hundred to twenty seven thousand units of amount, or two hundred forty to seven hundred twenty hours of community work, or a penalty of limitation of free travel right for a term of one up to five years, or imprisonment for a term of one up to three years.

(This article was added by the Law of May 11, 2017)

Article 18.18 Illegal operating an activity related to the national payment system

1. Illegally operating an activity related to the national payment system without permission from the authorized body shall be punishable by imprisonment for a term of one up to two years.
2. The same crime committed by causing of damage in more than three hundred million tugrug of amount to others shall be punishable by imprisonment for a term of five up to eight years.

(This article was added by the Law of May 31, 2017)

CHAPTER NINETEEN

CRIMES AGAINST NATIONAL SECURITY

Article 19.1 High treason

1. An action deliberately committed by a citizen of Mongolia which is detrimental to the national security, sovereignty, territorial integrity, defense capacity of Mongolia: giving help or collaborating with the enemy during a war, a war situation, an armed attack or conflict shall be punishable by imprisonment for a term of twelve up to twenty years, or life imprisonment.

Article 19.2 Illegal seizure of the state power, disruption

1. A deliberate action committed with a view of illegal seizure or retention of the state power at an advance agreement, that was organized, involved, supported financially by the use of violence; disrupting to exercise the legislative power of the highest organ of the state power forcibly shall be punishable by imprisonment for a term of twelve up to twenty years.

Article 19.3 A deliberate encroachment on the life of a high ranking official of a state

1. A deliberate encroachment on the life of a high ranking official of a state committed in connection with his/her state or political activities with the view of weakening the state shall be punishable by imprisonment for a term of five up to twelve years.
2. Assassination of a high ranking official of a state with the view specified in paragraph 1 of this article shall be punishable by imprisonment for a term of twelve up to twenty years, or life imprisonment.

Article 19.4 Illegal cooperation with foreign intelligence agency, agent

1. An action deliberately committed by a citizen of Mongolia who agrees to collaborate with foreign intelligence agency and collaborates; stealing, collection, storage, or delivery of data, documents and objects constituting a state or military secret with the view of transferring to a foreign organization or agent shall be punishable by imprisonment for a term of eight up to fifteen years.
2. The same crime committed by a high ranking official of a state, or a person who was entrusted such data or who has learnt them by virtue of his/her job or position shall be punishable by imprisonment for a term of twelve up to twenty years, or life imprisonment.

Legal meaning of terms: - An action committed by a citizen who despite agreeing to collaborate with foreign intelligence agency, voluntarily reports to the relevant state authorities, assists in the prevention of potential damage, in the absence of the signs of another crime in his/her actions may be excluded from criminal liability.

Article 19.5 Organization of an armed riot

1. Preparation, organizing, involvement of an armed riot with the view of disrupting territorial integrity of Mongolia and creation of civil war shall be punishable by imprisonment for a term from twelve to twenty years, or life imprisonment.

Article 19.6. Sabotage

1. Causing destruction, damage, an operational failure of the buildings, way and means of communications, national database, archive, objects that sustains life of population and spread of human, animal or plant viral diseases with the view of weakening the national security of Mongolia, its sovereignty, the defense and economic capacity of a state shall be punishable by imprisonment for a term of eight up to fifteen years.
2. The same crime committed:
 - 2.1. infliction of a severe damage to public health and properties
 - 2.2. by an organized group or criminal organization shall be punishable by imprisonment for a term of twelve up to twenty years or life imprisonment.

Article 19.7 Preparing sabotage

1. Forming an organized group or criminal organization and recruitment, involvement, preparation, training of others, provision of firearm, weaponry or other items used as specially prepared weapons, funds with the purpose of sabotage shall be punishable by imprisonment for a term from five to twelve years.

Legal meaning of terms: -A person who involves in the preparation for sabotage, voluntarily discloses the crime, promptly warns to the relevant state authorities and gives a help to intercept the sabotage, in the absence of the signs of another crime in his/her actions may be excluded from criminal liability.

Article 19.8 Act of extremist

1. Conducting political and religious activities, forming a definite group for the activity, recruitment of others with a view of violent overthrow or alteration of the constitutional order of Mongolia shall be punishable by limitation of free travel right for a term from one to five years, or imprisonment for a term from one to five years.

Article 19.9 Violation of the equality of rights of national and ethnic groups / Violation of the national solidarity

1. Propaganda with a view of stirring up, separatism of national, lingual, racial, religious hatred, or opinions between peoples, direct or indirect restriction of their rights by discrimination and violence, or establishing privileges shall be punishable by imprisonment for a term from five to twelve years.

2. The same crime committed by an organized group or criminal organization shall be punishable by imprisonment for a term from twelve to twenty years .

Article 19.10 Espionage

1. Espionage in the territory of Mongolia by a foreign national, or a stateless person shall be punishable by imprisonment for a term from twelve to twenty years.

Legal meaning of terms: - "Espionage" refers to perform tasks of foreign intelligence agency, the action that persuades a citizen of Mongolia to collaborate with foreign intelligent service and stealing, gathering, saving or transferring the data, documents, objects constituting a state or military secret.

Article 19.11 Illegal acquisition of a state secret

1. Stealing, collection, storage of data, documents or objects which constitute a state secret if such act does not constitute the crimes of high treason or espionage, shall be punishable by a penalty of limitation of free travel right for a term from six months to three years, or imprisonment for a term from six months to three years.

(This paragraph was modified by the Law of May 11, 2017)

Article 19.12 Disclosure of a state secret

1. Disclosure of data, documents, objects or activities which constitute a state secret by a person who was entrusted such data or who has learnt them by virtue of his/her job or position, if such act does not constitute the crimes of high treason, or illegally collaborating with foreign intelligent service, agent shall be punishable by a penalty of limitation of free travel right for a term of one up to five years with deprivation of the right to hold specified positions or engage specified business for up to three years, or imprisonment for a term of one up to five years .

2. The same crime if it has disclosed a vital secret and strictly confidential secret of a state shall be punishable by imprisonment for a term of two up to eight years with deprivation of the right to hold specified positions or engage specified business for up to five years.

Article 19.13 Loss of a state secret

1. Loss of data, documents or tangible objects which constitute a state secret by a person who was entrusted such data or who has learnt them by virtue of his/her job or position in result of violation of the established rules of handling of such data, documents, objects or activities shall be punishable by a fine equal to four hundred fifty up to fourteen thousands of amount, or a penalty of limitation of free travel right a term of six months up to three years, or imprisonment for a term of six months up to three years .

(This paragraph was modified by the Law of May 11, 2017 /

2. The same crime if it has lost a vital secret and strictly confidential secret of a state shall be punishable by a fine equal to five thousand four hundred up to twenty seven units of amount, or imprisonment for a term of one up to five years.

Article 19.14 Illegal entry through the state frontier of Mongolia

1. Entry through the state frontier of Mongolia without legal documents, or with forged documents, or without particular permission shall be punishable by a fine equal to one thousand three hundred fifty up to ten thousand units of amount, or a penalty of limitation of free travel right a term of six months up to two years, or imprisonment for a term of six months up to two years.

(This paragraph was modified by the Law of May 11, 2017)

2. The same crime committed:

2.1. by a group;

2.2. The use of force or threats with such shall be punishable by a fine equal to five thousand four hundred up to twenty seven thousand units of amount, or a penalty of limitation of free travel right for a term of one up to five year, or imprisonment for a term of one up to five years.

3. The same crime committed by an organized group or criminal organization shall be punishable by imprisonment for a term of two up to eight years.

Legal meaning of terms: - Illegal entry through the state frontier of Mongolia by a citizen of Mongolia who voluntarily discloses his/her crime by the way specified in paragraph one of this article may be exempt from the punishment.

- Entry through the state frontier of Mongolia by a foreign national or a stateless person who is oppressed and persecuted due to his/her opinions, political and other acts of justice with the purpose of asylum shall not be considered as a crime.

- Entry through the state frontier of Mongolia by a victim of human trafficking without legal document or with forged document shall not be considered as a crime.

Article 19.15 Illegal acquisition of Mongolian citizenship

1. Acquisition of Mongolian citizenship by the way of applying the forgery documents or objects, a deliberate action towards creation of false condition, and concealment of the reality shall be punishable by a fine equal to four hundred fifty up to fourteen thousand of amount, or a penalty of limitation of free travel right for a term of six months up to three years, or imprisonment for a term of six months up to three years.

(This paragraph was modified by the Law of May 11, 2017)

2. Illegally enter through the state frontier of Mongolia, giving an asylum, or transit through Mongolia by a foreign national and a stateless person shall be punishable by a fine equal to four hundred fifty up to fourteen thousand of amount, or a penalty of limitation of free travel right for a term of six months up to three years, or imprisonment for a term of six months up to three years.

(This paragraph was modified by the Law of May 11, 2017)

Article 19.16 Illegal change of the place name

1. Illegally changing the names of the administrative and territorial unit, border line, the places of Mongolia on the official document, geographic map shall be punishable by a fine equal to four hundred up to fourteen thousand units of amount, or a penalty of limitation of free travel right for a term of six months up to three years, or imprisonment for a term of six months up to three years.

(This paragraph was modified by the Law of May 11, 2017)

Article 19.17 Destruction, damage, transfer of facilities at the State frontier post and border line

1. Destruction, damage, transfer of the state frontier post, their connection, an engineering, technical and transboundary facilities for the border protection without permission from the authorized body; transfer of a transboundary water person shall be punishable by a fine equal to one thousand three hundred fifty up to ten thousand units of amount, or a penalty of limitation of free travel right for a term of six months up to two years, or imprisonment for a term of six months up to two years.

(This paragraph was modified by the Law of May 11, 2017)

CHAPTER TWENTY

CRIME AGAINST PUBLIC SECURITY AND INTEREST

Article 20.1 Deliberate false report about acts of terror

1. Preparation of other actions that would cause the explosion, arson, or danger of death by many, causing property damage; causing harm to society with intentional infringement shall be punishable by imprisonment for a term of one year up to five years.

Article 20.2 Propaganda of terrorism and justification in public

1. Propaganda of terrorism and justification in public shall be punishable by imprisonment for a term of one to five years.

Article 20.3 Forming or membership in a criminal organization

1. The crime committed by repeatedly with the purpose of profit, forming a stable group of three or more persons, recruitment and involvement of others, provision of firearm, weaponry or other items used as specially prepared weapons, planning and preparation to commit a crime shall be punishable by imprisonment for a term of two up to eight years.

2. Membership in an organized group or a criminal organization shall be punishable by imprisonment for a term of one up to five years.

3. The crime referred to in paragraph one of this article was committed by a civil servant shall be punishable by imprisonment for a term of five up to twelve years.

Article 20.4 Illegal possession of firearms, ammunition and explosives

1. Illegal acquisition, transferring, sale, transport, keeping of firearms, ammunition, explosives and explosive devices with purpose of combat and law enforcement shall be punishable by a fine equal to five thousand four hundred up to twenty seven units of amount, or limitation of free travel right for a term of one up to five years, or imprisonment for a term of one up to five years .

2. The same crime committed on behalf of a legal person for the interests of the legal person shall be punishable by a fine equal to ten thousand up to eight thousand units of amount with deprivation of the right to engage specified business. (This article was invalidated by the Law on May 11, 2017)

Legal meaning of terms: -A person who illegally acquires and keeps firearms, their components, ammunition, explosives or explosive devices without permission and later on voluntarily gives them to a competent authority shall be released from criminal liability.

Article 20.5 Illegal preparation of firearms

1. Illegal preparation of firearms and their components, ammunition, explosives or explosive devices shall be punishable by limitation of free travel right for a term of one up to five years , or imprisonment for a term of one up to five years .

2. The same crime committed on behalf of a legal person for the interests of the legal person shall be punishable by a fine equal to ten thousand up to eight thousand units of amount with deprivation of the right to engage specified business.

(This paragraph was invalidated by the Law on May 11, 2017)

Article 20.6 Neglect of the duties to protect firearms, ammunition and explosives

1. Causing damage in large amount in consequence of negligent keeping and protection of firearms, ammunition, explosives and explosive devices with purpose of combat and law enforcement shall be punishable by a fine equal to five thousand four hundred up to twenty seven units of amount, or a penalty of limitation of free travel right for a term of one up to five years, or imprisonment for a term of one up to five years.

(This paragraph was modified by the Law of May 11, 2017)

2. The same crime which has entailed in a severe bodily injury and death of victim shall be punishable by imprisonment for a term of two up to eight years.

3. The same crime committed on behalf of a legal person for the interests of the legal person shall be punishable by a fine equal to forty thousand up to two hundred thousand units of amount with deprivation of the right to engage specified business.

(This paragraph was invalidated by the Law on May 11, 2017)

Article 20.7 Illegal use of narcotic drug and psychotropic substances

1. Illegal preparation, storage, delivery of prohibited narcotic drug, psychotropic substances and its raw material without intent of distribution shall be punishable by a penalty of limitation of free travel right for a term of one up to five years, or imprisonment for a term of one up to five years.

2. Illegal acquisition, preparation, processing, storage, transportation, delivery or distribution of narcotic drug, psychotropic substances and its raw material with the intent of distribution shall be punishable by imprisonment for a term of two up to eight years.

3. The same crime committed:

3.1. repeatedly;

3.2. movement through the state frontier

(This article was invalidated by the Law on May 11, 2017)

3.3. by an organized group or criminal organization shall be punishable by imprisonment for a term of five up to twelve years.

4. The same crime committed on behalf of a legal person for the interests of the legal person shall be punishable by a fine equal to forty thousand up to two hundred thousand units of amount with deprivation of the right to engage specified business.

Legal meaning of terms: - The crime referred to in article was committed, narcotic drug, psychotropic substances and similar items voluntarily handed over, actively assisted in detection and suppression of crime related to illicit traffic in narcotic drugs, psychotropic substances and similar item, an exposure of a criminal, and detection of proceeds from crime by a person shall be released from criminal liability. Providing a narcotic drug, psychotropic substances and similar items during the investigation shall not be considered as voluntary action.

Article 20.8 Provision of shelters for consumption of narcotic drug and psychotropic substances

1. Provision of shelters for consumption of narcotic drug and psychotropic substances shall be punishable by a fine equal to from five thousand four hundred to twenty seven units of amount, or a penalty of limitation of free travel right for a term of one up to five years, or imprisonment for a term from one to five years.

2. The same crime committed by an organized group or a criminal organization shall be punishable by imprisonment for a term from five up to twelve years .

3. The same crime committed on behalf of a legal person for the interests of the legal person shall be punishable by a fine equal to from forty thousand up to two hundred thousand units of amount with deprivation of the right to engage specified business.

(This paragraph was invalidated by the Law of May 11, 2017)

Article 20.9 Misappropriation of narcotic drugs and psychotropic substances

1. Misappropriation of narcotic drugs and psychotropic substances when committed by an official abusing of official functions and authority shall be punishable by deprivation of right to engage in professional practice for a term of two to five years with a fine equal to from five thousand four hundred to twenty seven thousand units of amount, or limitation of free travel right from one to five years, or imprisonment for a term of one to five years.

Article 20.10 Illegal growing of plants containing narcotic effects

1. Illegal growing, cultivation of plants as the raw material of narcotic drugs and psychotropic substances shall be punishable by limitation of free travel right from one to five years, or imprisonment for a term of one to five years.

2. The same crime committed by an organized crime group shall be punishable by imprisonment for a term from five to twelve years.

3. The same crime committed on behalf of a legal entity, for the interest of the legal entity shall be punishable by a fine equal to from forty thousand to one hundred twenty thousand units of amount with deprivation of right to engage in specified business.

Article 20.11 Disposal of hazardous waste, chemical toxic, hazardous substances

1. Disposal of hazardous waste, chemical toxic, hazardous substances that present injury to health into the non-designated dump site, fraudulent classification of the waste with intent to dispose into the non-designated site, extermination, transportation through the state border shall be punishable by a fine equal to from five thousand four hundred to twenty seven thousand units of amount or penalty of limitation of free travel right from one to five years, or imprisonment for a term from one to five years.

2. The same acts, if committed:

- 2.1 with infliction of serious health injuries, that has resulted in death of a person
- 2.2 causing of damage in large amounts shall be punishable by imprisonment for a term from two to eight years.
3. The acts specified in the first part of this article, when it is committed on behalf of a legal entity, for the interest of the legal entity shall be punishable by a fine equal to from twenty thousand to one hundred twelve thousand units of amount with deprivation of right to engage in specified business.
4. The act specified in the second part of the present article, when it is committed on behalf of a legal entity, for the interest of the legal entity shall be punishable by a fine equal to from two hundred and twenty thousand to four hundred thousand units of amount with deprivation of right to engage in specified business.

Article 20.12 Distribution, sale of food products that do not comply with health requirements

1. Deliberate sale, distribution of food products or food supplements that do not comply with health requirements, is accompanied by damage to the health shall be punishable by a fine equal to from five thousand four hundred to twenty seven thousand units of amount or penalty of limitation of free travel right from one to five years.

(This paragraph was amended by the Law of May 11, 2017)

2. The same acts, if committed:
 - 2.1. with infliction of serious health injuries, caused the loss of human life
 - 2.2. causing of damage in large amounts shall be punishable by a fine equal to from ten thousand to forty thousand units of amount or imprisonment for a term from two to eight years.
3. The acts specified in the first part of the present article, when it is committed on behalf of a legal entity, shall be punishable by a fine equal to from ten thousand to eighty thousand units of amount with deprivation of right to engage in specified business.
4. The act specified in the second part of the present article, when it is committed on behalf of a legal entity, for the interest of the legal entity shall be punishable by a fine equal to from twenty thousand to one hundred twenty thousand units of amount with deprivation of right to engage in specified business.

Article 20.13 Commissioning of buildings of low-quality

1. Contracting, building, occupancy without the permit from the competent authority or different from the approved designing, which has caused serious health injuries, loss of human life, property damage in large amounts shall be punishable by a fine equal to from five thousand four hundred to twenty seven thousand units of amount, or penalty of limitation of free travel right from one to five years, or imprisonment for a term from one to five years.
2. The same crime committed on behalf of a legal entity, for the interest of the legal entity shall be punishable by a fine equal to from twenty thousand to one hundred twenty thousand units of amount with deprivation of right to engage in specified business.

Article 20.14 Illicit manufacture, importation, distribution and sale of pharmaceutical medicine, biomedicine, and medical appliances

1. Manufacture, importation, distribution and sale of pharmaceutical medicine, its raw materials, biomedicine, medical appliances with respect to which there exists a special prohibition, unauthorized for use in treatment for human, livestock and in like manner the manufacture date is expired shall be punishable by a fine equal to from two thousand seven hundred to fourteen thousand units of amount, or penalty of limitation of free travel right from 6 months up to 3 years, or imprisonment for a term from six months to three years.

(This paragraph was amended by the Law of May 11, 2017)

2. Manufacture of pharmaceutical medicine, its raw materials, biomedicine, medical appliances without the permit from the competent authority shall be punishable by a fine equal to from five thousand four hundred to twenty seven thousand units of amount, or penalty of limitation of free travel right from one up two years, or imprisonment for a term from one month two five years.

(This paragraph was amended by the Law of May 11, 2017)

3. The same acts, if committed:
 - 3.1 with infliction of serious health injuries, caused the loss of human life

3.2 causing of damage in large amounts shall be punishable by a fine equal to ten thousand to forty thousand units of amount, or imprisonment for a term from two months to eight years.

4. The acts specified in the first and second part of the present article, when it is committed on behalf of a legal entity, for the interest of the legal entity shall be punishable by a fine equal to from twenty thousand to one hundred twenty thousand units of amount with deprivation of right to engage in specified business.

5. The act specified in the third part of this article, when it is committed on behalf of a legal entity, for the interest of the legal entity shall be punishable by a fine equal to from two hundred thousand to four hundred thousand units of amount with deprivation of right to engage in specified business.

Article 20.15 An animal left without proper security measures endangering its surroundings.

1. Leaving animal without proper security measures, which has caused serious health injuries, shall be punishable by a fine equal to from four hundred fifty to five thousand units of amount, or two hundred forty to seven hundred hours of community service from one month to a year, or a penalty of limitation of free travel right from six months to three years, or imprisonment for a term from six months to three years.

(This paragraph was amended by the Law of May 11, 2017)

2. The same acts, if committed:

2.2 with infliction of serious health injuries, caused the loss of human life shall be punishable by a fine equal to from five thousand four hundred to twenty seven thousand units of amount or imprisonment for a term from one to five years.

Article 20.16 Violation of public order

1. Violation of public order in a group when committed with violence or with destruction, damaging of property or instigation, involving of such acts, which has caused violation of right of the ownership, freedoms with disturbance of legal entity, public orders shall be punishable by penalty of limitation of free travel right from one two years, or imprisonment for a term from one to five years.

2. The same acts, if committed:

2.1 with use of a weapon or prearranged other objects used as weapons;

2.2 with robbery of personal property;

2.3 with arsons;

2.4 with risk of serious health injuries, threat to the loss of human life

2.5 causing of damage in large amount to personal property shall be punishable by imprisonment for a term from two to eight years.

CHAPTER 21

CRIMES AGAINST CRIMINAL PROCEDURE

Article 21.2 False testimony

1. Upon expressing to state the complete truth in court, a witness, a victim who has guaranteed in accordance with law gives false testimony in the course of prejudicial investigation shall be punishable by a fine equal to from four hundred and fifty to five thousand units of amount with penalty of deprivation of certain right from one month to two years, or from two hundred and forty to seven hundred and twenty hours of community service, or from one month to one year penalty of limitation of free travel right.

Article 21.2 False testimony

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(This paragraph was amended by the Law of May 11, 2017)

2. Defamation, deliberate false testimony given by a witness, a victim in the course of prejudicial investigation, or in court proceedings shall be punishable by a fine equal to from five thousand four hundred to twenty seven thousand units of

amount, or penalty of limitation of free travel right from three months to two years, or one to five year penalty of limitation of free travel right, or imprisonment for a term from one to five years.

Article 21.3 False translation, misinterpretation

1. If an interpreter, upon expressing to interpret the correct translation, interpretation that has been guaranteed in accordance with the law, makes deliberately incorrect translation, misinterpretation in the course of prejudicial investigation and in executing of court decision, he shall be imposed a penalty of a fine equal to from four hundred and fifty to five thousand four hundred units of amount with penalty of deprivation of right from three months up to two years, or from two hundred and forty to seven hundred and twenty hours of community service, or from one month to one year penalty of limitation of free travel right.

(This paragraph was amended by the Law of May 11, 2017 and Law of June 9, 2017)

Article 21.4 Deliberate false conclusion by an expert

1. Upon expressing to deliver the correct conclusion, an expert who has guaranteed in accordance with law renders deliberately false conclusion in the course of prejudicial investigation and in executing of court decision shall be imposed a penalty of a fine equal to from five thousand four hundred to twenty seven thousand units of amount with penalty of deprivation of right from one to five years, or penalty of limitation of free travel right from one to five years, or imprisonment for a term from one to five years.

(This paragraph was amended by the Law of June 9, 2017)

Article 21.5 Unlawful influence on a witness, a victim, an expert, an interpreter, a translator

1. An unlawful influence on a witness, a victim or an expert into giving false testimony, or a false conclusion, an interpreter, a translator into giving incorrect translation, misinterpretation, committed by means of a threat of violence or caused a violence, serious damage to the property of such persons or of their relatives, and in like manner persuasion, giving, bribing shall be punishable by a fine equal to from four hundred and fifty to five thousand four hundred units, or two hundred and forty to seven hundred and twenty hours of community service, or from one month to one year penalty of limitation of free travel right.

(This paragraph was amended by the Law of May 11, 2017)

2. The same acts, if committed by a law enforcement officer, an attorney-at-law, a prosecutor, a judge shall be punishable by a fine equal to from five thousand four hundred to twenty seven thousand units of amount with penalty of deprivation of right from one to five years, or from one to five years penalty of limitation of free travel right, or imprisonment for a term from one to five years.

Article 21.6 Unlawful influence on judges, prosecutors, attorneys, investigator, citizen's representatives.

(This paragraph was amended by the Law of May 11, 2017)

1. In relation to judges, prosecutors, attorneys, investigators, citizen's representatives carrying out of case proceedings, unlawful influence committed by means of a threat of violence or cause of a violence, serious damage to the property of such persons, spreading of slanderous or libelous information with potential damage to their honor and dignity or their relatives, or persuasion in similar manner shall be punishable by a fine equal to from five thousand four hundred to twenty seven thousand units of amount with penalty of deprivation of right from one to two years, or from one to five years penalty of limitation of free travel right, or imprisonment for a term from one to five years.

(This paragraph was amended by the Law of May 11, 2017)

2. The same act, if committed by a higher official, a person who holds political power, committed by means of pressuring with a purpose of creating power over a process, with a promise to create the same, of persuasion shall be punishable by a fine equal to ten thousand to forty thousand units of amount or imprisonment for a term of two to eight years.

Legal meaning of terms: - "A person who holds political power" refers to the President of Mongolia, Member of the State Great Khural /Parliament/, the Prime Minister of Mongolia, a Member of the Government, Deputy Minister, a Member of the Constitutional Tsets, Chief Justice of the Supreme Court, Prosecutor General, Head of the organization which answers directly to the State Great Khural, Governor of aimag, Governor of the capital city, Presidium of the Capital Citizen's Representatives, State Secretary of Ministry, Head of the Government Agency.

Article 21.7 Impeding, evasion of execution of a court's decision

1. Submission of false property statement, deliberately concealing, transferring property to others, change of registered residential location, pretentious execution, collateralization, sealing, confiscation, disposal at own discretion, entered into agreement fictitiously, aimed at impeding, evasion of execution of a court's decision shall be punishable by a fine equal to from two thousand seven hundred to five thousand four hundred units of amount, or a penalty of limitation of free travel right from six months to one year, or imprisonment for a term from six months to one year.

(This paragraph was amended by the Law of May 11, 2017 and Law of June 9, 2017)

2. If the same crime has been committed on behalf of a legal entity, for the interest of the legal entity, the legal entity shall be punishable by a fine equal to from twenty thousand to one hundred and twenty thousand units of amount.

(This paragraph was invalidated by the Law of May 11, 2017)

Article 21.8 Unlawful action by a person unauthorized to practice law

1. If a person, who has not been not authorized to be called a lawyer, has undertaken a law practice, and consequently has caused damage to the legitimate rights, interests of others shall be punishable by a fine equal to from four hundred fifty to one thousand three hundred and fifty units of amount, or from two hundred and forty to seven hundred twenty hours of community service, or a penalty of limitation of free travel right from one month to three months.

(This paragraph was amended by the Law of May 11, 2017 and Law of June 9, 2017)

2. If the same crime committed on behalf of a legal entity, for the interest of the legal entity, the legal entity shall be punishable by a fine equal to twenty thousand to one hundred twenty thousand units of amount with deprivation of right to engage in specified business.

(This paragraph was invalidated by the Law of May 11, 2017)

Article 21.9 Disclosure of prejudicial investigation secrets

1. Disclosure of documentation, information that contain prejudicial investigation secrets issued by a person, an official, personnel learnt in the course of official or professional activities to the public without permission of the prosecutor shall be punishable by a fine equal to from four hundred and fifty to five thousand four hundred units of amount, or from two hundred and forty to seven hundred and twenty hours of community service, or a penalty of limitation of free travel right from one month to one year.

(This paragraph was amended by the Law of May 11, 2017)

2. If deliberate disclosure of confidential information, documentation by a judge, prosecutor, law enforcement officer, attorney, official, entrusted personnel issued in the course of professional prejudicial investigation has caused devulgaration of witness, impeding in the criminal proceedings, it shall be punishable by a fine equal to from four hundred and fifty to fourteen thousand units of amount with deprivation of certain rights for a term from one to three years, or a penalty of limitation of free travel right from six months to three years, or imprisonment for a term from six months to three years.

(This paragraph was amended by the Law of May 11, 2017)

Article 21.10 Misappropriation or loss of sealed, confiscated property

1. If an official, a personnel entrusted to protect, keep the sealed, confiscated property, has failed he obligations to properly maintain storage and caused the loss, damage, spoilage of the property, he shall be punishable by a fine equal to from two thousand seven hundred to five thousand four hundred units of amount, or from six months to one year penalty of limitation of free travel right, or imprisonment for a term from six months to one year.

(This paragraph was amended by the Law of May 11, 2017)

2. Misappropriation of sealed, confiscated property by an official, who is responsible to keep, protect shall be punishable by a fine equal to from five thousand four hundred to twenty seven thousand units of amount with deprivation of right to serve in the public administration for a term of up to one year, or from one to five years penalty of limitation of free travel right, or imprisonment for a term from one to five years.

Article 21.11 Escape

1. Escape of a person under arrest, defendant in detentions, convict in custody or a prisoner with a penalty of imprisonment shall be punishable by imprisonment for a term of three months to three years.

/ As amended by the Law of May 11, 2017)

Article 21.12 Torture

1. The causation of physical or mental sufferings by a public servant for motives of extracting information, testimony, forcing of acceptance, sentencing by way of discriminating, self or inflicting others by expressing, issuing permit shall be punishable by a fine equal to five thousand four hundred to twenty seven thousand units, or imprisonment for a term of one to five years.

/ As amended by the Law of May 11, 2017)

Article 21.13 Violation of the legislation on intelligence activities

1. Conduct of operations prohibited by the legislation on intelligence activities by an authorized organization, its official shall be punishable by a fine equal to five thousand four hundred to twenty seven thousand units, or imprisonment for a term of one to five years.

Article 21.14 Engage in unlawful conduct in a legal practice

1. Rendering of a knowingly unjust decision made by a judge or a prosecutor in the course of prejudicial investigation, aimed at extracting benefits and advantages for themselves or other persons shall be punishable by a fine equal to five thousand four hundred to twenty seven thousand units of amount with deprivation of right to legal practice for a term of up to four years, or one to five years penalty of limitation of free travel right, or imprisonment for a term of one to five years.

/ As amended by the Law of May 11, 2017)

2. Unlawful legal practice by a prosecutor or by an attorney in the course of case proceedings, aimed at extracting benefits and advantages for themselves or other persons shall be punishable by a fine equal to five thousand four hundred to twenty seven thousand units of amount with deprivation of right to legal practice for a term of up to five years, or one to five years penalty of limitation of free travel right, or imprisonment for a term of one to five years.

/ As amended by the Law of May 11, 2017)

CHAPTER 22. CORRUPTION CRIMES

Article 22.1 The abuse of authority or of official position

1. The abuse of authority or of official position, or deliberate inaction in the service by an public official, for the purposes of extracting benefits and advantages for themselves or other persons shall be punishable by fine equal to five thousand four hundred to twenty seven thousand units of amount with deprivation of the right to hold public positions for a term of two to five years, or one to five years penalty of limitation of free travel right, or imprisonment for a term of one to five years.

2. The abuse of authority or of official position by a public official and if it has caused substantial damage to shall be punishable by fine equal to five thousand four hundred to twenty seven thousand units of amount with deprivation of the right to hold public positions for a term of two to five years, or one to five years penalty of limitation of free travel right, or imprisonment for a term of one to five years.

3. The acts specified in the first, second part of the present article, when it is committed by a person, who holds political power shall be punishable by fine equal to ten thousand to forty thousand units of amount with deprivation of the right to hold public positions for a term of five to eight years, or imprisonment for a term of two to eight years.

(This paragraph was amended by the Law of May 11, 2017)

22.2 Abuse of authority

1. Abuse of authority aimed at extracting advantages or granting priveleges to others by a public official, personally or through an official who is under their supervision, for the purposes of extracting benefits and advantages for themselves or other persons, which has caused damage to the interest of others protected by law shall be punishable by fine equal to four hundred fifty one to fourteen thousand units of amount with deprivation of the right to hold public positions for a term of up to 2 years, or one to five years penalty of limitation of free travel right, or imprisonment for a term of one to five years.

2. The acts specified in the first part of the present article, when it is committed by a public official, where these acts associated direct or indirect granting to themselves advantages shall be punishable by fine equal to four hundred fifty one to fourteen thousand units of amount with deprivation of the right to hold public positions for a term of up to two years, or one month to three years penalty of limitation of free travel right, or imprisonment for a term of one month to three years.

3. In return of the acts specified in the first part of the present article, demand, creating of direct or indirect granting of advantages shall be punishable by fine equal to five thousand four hundred to twenty seven thousand units of amount with deprivation of the right to hold public positions for a term of one to three years, or one to five years penalty of limitation of free travel right, or imprisonment for a term of one to five years.

4. Unlawful participation in the management of an entrepreneurial activity by abusing of authority committed by a public official, which has entailed in significant damage to its capacity of solvency, profitable activities shall be punishable by fine equal to five thousand four hundred to twenty seven thousand units of amount with deprivation of the right to hold public positions for a term of one to three years, or one to five years penalty of limitation of free travel right, or imprisonment for a term of one to five years.

5. The acts specified in the first, second, third part of the present article, when it is committed by a person, who holds political power shall be punishable by fine equal to ten thousand to forty thousand units of amount with deprivation of the right to hold public positions for a term of two to five years, or imprisonment for a term of two to eight years.

(As invalidated by the Law of May 11, 2017)

Article 22.3 Abuse of authority committed by an official of international organizations foreign State organization,

1. The abuse of authority, or of official position, which contradicted abuse of authority for the purposes of extracting benefits and advantages for themselves or other persons, has caused substantial damage shall be punishable by fine equal to five thousand four hundred to twenty seven thousand units of amount, or one to five years penalty of limitation of free travel right, or imprisonment for a term of one to five years.

(This paragraph was amended by the Law of May 11, 2017)

Legal meaning of terms: "official of the international organization" means official of an international, inter-governmental international organization, or its representative, its personnel authorized to conduct its activities, personnel appointed from that organization.

ARTICLE TWENTY-TWO

THE CORRUPTION CRIME

Article 22.4. Receiving a bribe

1. If a person received a bribe directly or indirectly for performing or to perform their duties for the interest of the briber shall be punishable by deprivation of the right to hold certain positions for a period of two to five years with a fine of two thousand seventy to fourteen thousand unit equivalent or imprisonment from six months to three years.

(This paragraph was modified by the Law of May 11, 2017)

2. If a public official received a bribe directly or indirectly for performing or to perform their duties for the interest of the briber shall be punished by deprivation of the right to hold public office for a period of two to five years and a fine of five thousand four hundred to twenty-seven thousand units equivalent to or the limitation of free travel right from one year to five years or imprisonment from two years to eight years.

(This paragraph was modified by the Law of May 11, 2017)

3. If a person received a bribe directly or indirectly for not performing or not perform their duties or executed or to execute unspecified actions for the interests of the briber shall be punishable by deprivation of the right to hold public office for a period of two to five years with a fine of two thousand seven hundred to fourteen thousand units equivalent to or limitation of free travel right from six months up to three years or imprisonment from six months to three years.

(This paragraph was modified by the Law of May 11, 2017)

4. If a public official received a bribe directly or indirectly for not performing or not perform their duties or executed or to execute unspecified actions for the interests of the briber shall be punishable by deprivation of the right to hold public office for a period of two to five years with a fine of ten thousand to forty thousand units equivalent or imprisonment from two years to eight years.

(This paragraph was modified by the Law of May 11, 2017)

5. If the crime started in paragraph two of this article was committed by a politically exposed person or organized crime group, creating impediments shall be punishable by deprivation of the right to hold public office for a period up to eight years with a fine of ten thousand to forty thousand units equivalent or imprisonment from two years to eight years.

6. If a crime stated in paragraph four of this article was committed by a politically exposed person or organized crime group, creating impediments shall be punishable by imprisonment from five years to twelve years.

Article 22.5. Giving a bribe

1. Persons who transferred tangible and intangible resources or handed the rights to possess provided of service without charge or with preferences or pledged, proposed such in connection with their with function, power, position to obtain preferences for himself or others shall be punishable by deprivation of the right to hold public for a period of two to five years with a fine of two thousand seven hundred to forty thousand units equivalent or limitation of free travel right from six months up to three years or imprisonment from six months to three years.

(This paragraph was modified by the Law of May 11, 2017)

2. If the same crime was committed by a public official or organized crime group shall be punishable by deprivation of the right to hold public office for a period of two to five years and a fine of five thousand four hundred to twenty-seven thousand units equivalent or limitation of free travel right from one year to five years or imprisonment from one year to five years.

(This paragraph was modified by the Law of May 11, 2017)

3. If the same crime was committed on behalf of legal person or for the interest of the legal person shall be punishable by deprivation of the right to conduct a particular activity with a fine of one hundred twenty thousand to four hundred thousand units equivalent.

(This paragraph was modified by the Law of May 11, 2017)

A Legal meaning of terms: If a person gave a bribe due to impediments and received public service which is provided in accordance with the functions of government officials and disclosed it to the competent authority, the public service which has received this person remains and be exempted from punishment.

(This paragraph was modified by the Law of May 11, 2017)

The person will not be exempted from punishment if this person planned for an illegal to be executed by the receiver, deliberately gave the bribe. Voluntary disclosed about this competent authority will be considered grounds for mitigation of the penalty.

(This paragraph was modified by the Law of May 11, 2017)

Article 22.6. Bribing of an official of a foreign government institution, international organization

1. Directly or indirectly demanding, receiving, accepting a proposal for a bribe by an official of a foreign government institute, an international organization in connection with their line of duties for the benefit of the giver shall be punishable by incarceration for a term of five to twelve years of imprisonment.

2. Persons transferred tangible and intangible resources or handled the right to possess, provided of service without charge or with preference or pledged, proposed such to officials of a foreign state institutions, international organizations for the purpose of obtaining preferences or maintain preferences in connection with their mandate, position and international activity shall be punishable by a fine equal to five thousand four hundred units to twenty-seven thousand units with deprivation of the right to hold specified positions for a term up to three years of limitation of free travel right for a term of one to five years or incarceration for a term of one to five years imprisonment.

Article 22.7. Illegal spending of the state resourced property

1. Spending of the state reserve of goods or materials transferring, lending, pledged, donated, destroyed, sold, or lost without the permission of the authorized official shall be punishable by deprivation of the right to hold public for three years with a fine of five thousand four hundred to twenty-seven thousand units equivalent or limitation of free travel right from one to five years or imprisonment from one year to three years.

Article 22.8. Spending of the budget funds contrary to their designation

1. Spending of the state budget funds by a budget governor:

1.1. contrary to their designation;

1.2. acquisition of inventory, work, and services at a price higher than the market

(This paragraph was modified by the Law of May 11, 2017)

1.3. acquisition of inventory in amounts exceeding the needs under the excuse of stocking, thereby blocking the cash flow

1.4. intentional increase in inventory prices with the view of creating a deficit;

1.5. sale of property of a state and budget organization for a price lower than the market one

1.6. misappropriation of funds by way of using under-quality goods and product in construction and building works performed by a state budget or own financing that has caused damage shall be punishable by deprivation of the right to hold public for three years with a fine of five thousand four hundred to twenty thousand units equivalent or limitation of free travel right from one to five years or imprisonment from one year to three year.

(This paragraph was modified by the Law of May 11, 2017)

2. If the same crime has caused a large amount of damage shall be punishable imprisonment from two years to eight-year.

(This paragraph was modified by the Law of May 11, 2017)

Article. 22.9. Spending of non-budget funds contrary to their designation

1. Spending of non-budget funds by a budget governor

1.1. contrary to their designation

1.2. acquisition of inventory, work, and services at a price higher than the market

1.3. intentional increase in inventory prices with the view of creating a deficit

1.4 Sale of the property of a state and budget organization for a price lower than the market has caused substantial damage shall be punishable by deprivation of the right to hold public office for a period of two to five years and a fine of five thousand four hundred to twenty-seven thousand units equivalent or limitation of free travel right from one year to five years or imprisonment from one year to five years.

2. If the same crime has caused a large amount of damage shall be punishable imprisonment from two years to eight-year.

(This paragraph was modified by the Law of May 11, 2017)

Article. 22.10. Enrich in an unjustified way

1. If a public official cannot justify an increase of his/her income and assets as lawful, such income and assets shall be confiscated and the relevant official's right to be appointed in public the office shall be suspended for up to two years and be fined an amount of two thousand seven hundred to fourteen thousand units equivalent or limitation of free travel right from six months up to three years or imprisonment from six months to three years.

(This paragraph was modified by the Law of May 11, 2017)

2. If this crime has been committed by a politically exposed person, such person's right to appointed or elected in public office shall be suspended for two to five years and be fined an amount of five thousand four hundred to twenty-seven thousand units equivalent or limitation of free travel right from one to five years or imprisonment from one year to five years.

Article. 22.11. Arbitrariness

1. Unwarranted, against the order established by legislation, the exercise of one's actual or presumptive right that is disputed by another person by a public official that is caused damage to the legitimate interest of others protected by law shall be punishable by fine equal to two thousand seven hundred to forty thousand units of the amount with deprivation of the right to hold public positions for a term of up to two years, or six months to three years of limitation of free travel right , or imprisonment for a term of six months to three years.

(This paragraph was modified by the Law of May 11, 2017)

Article 22.12 Abuse of power of a legal entity

1. Abuse of power afforded to him / her by legislation or regulation by a managing and executive officer of a legal entity with the view of establishing priority to himself / herself or others and lucrative purpose that has caused a substantial damage shall be punishable by a fine equal to two thousand seven hundred up to fourteen thousand units of amount or a penalty of limitation of free travel right for a term of six months to three years, or imprisonment for a term of six months to three years.

(This paragraph was modified and added by the Law of May 11, 2017)

ARTICLE TWENTY-THREE.

CRIMES AGAINST CIVIL SERVICE INTEREST

Article. Resisting law enforcement officer

1. Resisting of a law enforcement officer while he/she performs the duties assigned by law committed by means of a threat of violence shall be punishable by fine equal to two thousand seven hundred to forty thousand units of amount, or six months to three years of limitation of free travel right, or imprisonment for a term of six months to three years.

(This paragraph was modified by the Law of May 11, 2017)

2. The same acts, if committed:

2.1. with the use of gun, weapon, weaponry;

2.2. with attacking equipment and construction of Law enforcement agencies shall be punishable by fine equal to five thousand four hundred to twenty thousand units of amount, or one year to five years of limitation of free travel right, or imprisonment for a term of one year to five years.

Article. 23.2. Forging and use of forged documents

1. Forging with the view of using or giving in to other's use, or use or sale for forged of permission of licenses, their extension or release from duty or seals, blanks of the letter, citizen's identification card, driver license, diploma, foreign passport, state awards, certification of property documents shall be punishable by fine equal to four hundred to five thousand units of amount, or two hundred forty to seven hundred twenty hours of community work or one month to one year of limitation of free travel right .

(This paragraph was modified by the Law of May 11, 2017)

2. If this crime causing damage in large amount to personal property shall be punishable two thousand seven hundred to fourteen thousand units of amount or six months up to three years of limitation of free travel right, or imprisonment from six months to three years.

(This paragraph was modified by the Law of May 11, 2017)

Article. 23.3. The stealing or damaging of documents, stamps or seals

1. Intentionally stealing or a damaging of official documents or seals, permission of licenses, their extensions or release from duty or seals, blanks of the letter, citizen's identification card, driver license, diploma, foreign passport, state awards, certification of property documents, payment checks shall be punishable four hundred fifty to five thousand four hundred units of amount or six months up to one year of limitation of free travel right, or imprisonment from six months to one year.

(This paragraph was modified by the Law of May 11, 2017)

Article 23.4. Intentional misleading information of State registration office, forging

1. The public official who intentionally entering false information to the system, delete or change the information, making and printing it like an original to obtain preferences for himself or others shall be punishable by deprivation of the right to hold public for a period of two years with a fine of two thousand seven hundred to forty thousand units equivalent or limitation of free travel right from six months up to three years or imprisonment from six months to three years.

(This paragraph was modified by the Law of May 11, 2017)

2. If this crime causing of damage in large amount to personal property shall be punishable for such person's right to appoint or elected in public office shall be suspended for two to five years with five thousand four hundred to twenty-seven a thousand units of amount or one year up to five years of limitation of free travel right, or imprisonment from one year to five years.

Article. 23.5. Negligent performance of Duty

1. Non-performance or negligent performance of public official duty by law due to neglect thereof that has caused a large amount of damage shall be for such person's right to appoint or elected in public office shall be suspended for two years with two thousand seven hundred to five thousand four hundred units of amount or six months up to one year of limitation of free travel right, or imprisonment from six months to one year.

(This paragraph was modified by the Law of May 11, 2017)

2. Non-rendering medical aid to an afflicted person without reasonable grounds by a law enforcement officer, clinic worker which has caused serious health injuries, loss of human life shall be punishable for deducting professional activity with imprisonment for a term of six months to two years.

(This paragraph was modified by the Law of May 11, 2017)

Article. 23.6. Use of prohibited special equipment by law

1. Using special equipment which is prohibited by law for human life, health, and environment shall be punishable a five thousand four hundred to twenty-seven thousand units of amount or one year up to five years of limitation of free travel right or imprisonment from one year to five years.

Article. 23.7. Threats to public official

1. Requiring performance or non-performance for public officials duty for threatening to kill or to inflict a bodily injury, or a threatening member of his/ her immediate family, or a threat to publish an important document that harm his/her legitimacy right, shall be punishable a five thousand four hundred to twenty-seven thousand units amount or one year up to five years of limitation of free travel right or imprisonment from one year to five years.

2. The same acts, if committed:

2.1. with the abuse of power, official function;

2.2. organized crime group shall be punishable by imprisonment for a term of two to eight years.

ARTICLE TWENTY-FOUR

ENVIRONMENTAL CRIMES

Article 24.1. Environmental pollution

1. Damage of chemical contaminating substance, hazardous contamination substance, water basin area, source of river flow, water source, water supply source and their hygienic area that present injury to health into the man's health, animal, plant, and impact on their offspring, or causing illness, death shall be punishable a five thousand four hundred to twenty-seven thousand units amount or one year up to five years of limitation of free travel right , or imprisonment from one year to five years.

2. The same acts, if committed:

2.1. with infection of serious health injuries, that has resulted in the death of a person

2.2. causing of damage in large amounts shall be punishable by a fine equal ten thousand to forty thousand units of amount or imprisonment for a term of two to eight years.

3. The acts specified in the First Paragraph of the present article, when it is committed on behalf of or for the interest of the legal entity shall be punishable by a fine equal twenty thousand to one hundred twenty thousand units of the amount with deprivation of the right to engage in the specified business.

4. The act specified in the second Paragraph of the present article, when it is committed on behalf of or for the interest of a legal entity shall be punishable by a fine equal to forty thousand to two hundred thousand units of the amount with deprivation of the right to engage in specified business.

Article. 24.2. Illegal exploration and extraction, poaching and illegal logging

1. Illegal mineral exploration and extraction, poaching and illegal logging without permission from the authorities, or building underground for purposes other than mining, or illegally attacking the ground shall be punishable a five thousand four hundred to twenty-seven thousand units amount or imprisonment from one year to five years.

2. The lack of proper rehabilitation in the field of mineral exploration, mining extraction, poaching, and logging with the permission of authorities causing grave damage to the environment shall be punishable a ten thousand to forty thousand units, or imprisonment from two to eight years.

3. The acts specified in the First Paragraph of the present article, when it is committed on behalf of or for the interest of the legal entity shall be punishable by a fine equal twenty thousand to one hundred twenty thousand units of the amount with deprivation of the right to engage in the specified business.

4. The act specified in the second Paragraph of the present article, when it is committed on behalf of or for the interest of a legal entity shall be punishable by a fine equal to forty thousand to two hundred thousand units of the amount with deprivation of the right to engage in specified business.

Article. 24.3. Illegal activities with toxic and hazardous substances

1. Illegal activities with toxic and hazardous substances that transportation through the state border, production, storage, sale, purchase, transfer to others shall be punishable by a fine equal to five thousand four hundred units to twenty-seven

thousand units of amount, or penalty of limitation of free travel right, from one to five years, or imprisonment for a term of one to five years.

2. The same acts, if committed:

2.1. with infection of serious health injuries, that has resulted in the death of a person;

2.2. causing of damage in large amounts shall be punishable by a fine equal ten thousand to forty thousand units of amount or imprisonment for a term of two to eight years;

3. The acts specified in the First Paragraph of the present article, when it is committed on behalf of or for the interest of the legal entity shall be punishable by a fine equal twenty thousand to one hundred twenty thousand units of the amount with deprivation of the right to engage in specified business;

4. The act specified in the second Paragraph of the present article, when it is committed on behalf of or for the interest of a legal entity shall be punishable by a fine equal to forty thousand to two hundred thousand units of the amount with deprivation of the right to engage in specified business.

Article 24.4. Illegal activities with nuclear substance, radioactive waste, nuclear material, radiation generator

1. Illegal acquisition, stored, consumed, transferred, exported, imported, sale, lease, transported, processed, produced, buried with nuclear substance, radioactive waste, nuclear material, radiation generator punishable by a fine equal to five thousand four hundred units to twenty-seven thousand units of amount, or penalty of limitation of free travel right from one to five years, or imprisonment for a term of one to five years.

2. The same crime committed for a legal entity's behalf of or for the interest of the legal an entity shall be punishable by a fine equal twenty thousand to one hundred twenty thousand units of the amount with deprivation of the right to engage in specified business.

Article 24.5. Illegal hunting

1. In the State Special Protected Areas, hunting, holding, or rare animals without the consent of the State Specialized Protected Areas, without the consent of being licensed, captured, deliberately reared, multiplied, stored, sold, bought, transported, goods, organs, and commodities thereof shall be punishable by a fine equal to five thousand to four hundred to twenty thousand seven thousand units or penalty of limitation of free travel right up to one year to five years or imprisonment for a term of one to five years.

2. Imported, transported, stored, sold, purchased, exported, stored, sold, purchased, and exported from abroad without any unlicensed fauna, unlicensed animals, and raw materials, organs, and their raw materials shall be punishable by a fine of ten thousand units to forty thousand units or imprisonment for a term of two to eight years.

3. The acts specified in the first and second Paragraph of the present article, when it is committed on behalf of or for the interest of the legal entity shall be punishable by a fine equal twenty thousand to one hundred twenty thousand units of the amount with deprivation of the right to engage in specified business;

(This paragraph was invalid by the Law of May 11, 2017)

Article. 24.6 Illegal logging

1. For timber and timber material preparation, transportation, sale and purchase of timber or timber without a license shall be punishable on a fine of four hundred fifty to five thousand four hundred units or for two hundred and forty hours of community work or penalty of restriction movement from one month to one year.

(This paragraph was amended by the Law of 11 May 2017)

2. The same acts, if committed:

2.1. continuous committed;

2.2. grouping;

2.3. forests in the State Special Protected Areas;

2.4. a civil servant shall be punishable by a penalty of limitation of free travel right from one year to five years, or imprisonment for a term of one year to five years.

3. The same crime committed for a legal entity's behalf of or for the interest of the legal an entity shall be punishable by a fine equal twenty thousand to one hundred twenty thousand units of the amount with deprivation of the right to engage in specified business.

Article 24.7. Setting forest and steppe fire

1. Causing forest and steppe fire that resulted to human death and other grave harm to human health or other severe damage through fire by negligent handling of fire or highly flammable objects shall be punishable by imprisonment for term of one to five years.
2. Setting fire intentionally to the forest and steppe shall be punishable by imprisonment for term of two to eight years.
3. The imprisonment for term of five to twelve years shall be served in case the following damages occurred due to the crime stated in paragraph 2 of this article:
 - 3.1. Health of human is severely damaged, human death;
 - 3.2. Large amount of damage occurred.

Article 24.8. Violation of rules on extraction of natural plant

1. Picking, preparing, selling and purchasing, storing, transporting, processing the seed and organ of rare and extremely rare plant without appropriate permission shall be subject to fine by tugrug equal to five thousand four hundred to twenty thousand units, or restriction on right to travel for term of one year to five years, or imprisonment for term of one year to five years.
 1. Committing such crime on behalf of legal entity or committing for the interest of legal entity shall be subject to deprivation of rights to activity of such legal entity and fine by tugrug equal to twenty thousand to one hundred twenty thousand units.

(This paragraph became invalid by the Law of May 11, 2017)

Article 24.9. Violation against environmental balance

1. Damaging, terminating species of animal and plant without appropriate permission, contaminating the land and subsoil, atmosphere, water resource and unbalancing the ecological structure in other ways shall be punished with imprisonment for term of eight years to fifteen years.

(This paragraph was modified and edited by the Law of May 11, 2017)

2. Committing this crime on behalf of legal entity or committed for the interest of legal entity shall be punishable with fine by tugrug equal to one hundred twenty thousand to four hundred thousand units.

CHAPTER TWENTY FIVE

CRIMES AGAINST CULTURAL HERITAGE

Article 25.1. Breaking, damaging, destroying the historical and cultural heritage

1. Breaking, damaging, destroying the historical and cultural heritage intentionally shall be punishable with fine by tugrug equal to four hundred fifty to five thousand four hundred units, or with community service for term of two hundred forty to seven hundred twenty hours, or the limitation of free travel right for term of one month to one year.

(This paragraph was modified and edited by the Law of May 11, 2017)

2. Breaking, damaging, destroying the historical and cultural heritage belong to "valuable" category intentionally shall be punishable with fine by tugrug equal to two thousand seven hundred to fourteen thousand units, or the limitation of free travel right for term of six months to three years, or imprisonment for term of six months to three years.

(This paragraph was modified and edited by the Law of May 11, 2017)

3. Breaking, damaging, destroying the historical and cultural heritage belong to "priceless" category intentionally shall be punishable with fine by tugrug equal to five thousand four hundred to twenty seven thousand units, or the limitation of free travel right for term of one to five years, or imprisonment for term of one to five years.

Article 25.2. Breaking, damaging, destroying the intangible heritage of history and culture

1. Breaking, damaging, destroying the intangible heritage of history and culture intentionally shall be punishable with fine by tugrug equal to four hundred fifty to five thousand four hundred units, or with community service for term of two hundred forty to seven hundred twenty hours, or the limitation of free travel right for term of one month to one year.

(This paragraph was modified and edited by the Law of May 11, 2017)

2. Breaking, damaging, destroying the intangible heritage of history and culture protected by state and local government intentionally, or committed such crime with the method possible to harm the life, health and property of

numerous people shall be punishable with fine by tugrug equal to five thousand four hundred to twenty seven thousand units, or the limitation of free travel right for term of one to five years or the imprisonment for term of one to five years.

3. Committing such crime on behalf of legal entity or committing for the interest of legal entity shall be subject to punishment applies to legal entity with fine by tugrug equal to ten thousand to eighty thousand units.

Article 25.3. Misappropriation and embezzlement of physical heritage of culture

1. Misappropriation and embezzlement of physical heritage shall be punishable with fine by tugrug equal to two thousand seven hundred to fourteen thousand units, or the limitation of free travel right for term of six months to three years, or imprisonment for term of six months to three years.

(This paragraph was modified and edited by the Law of May 11, 2017)

2. Committing such crime on behalf of legal entity or committing for the interest of legal entity shall be subject to punishment applies to legal entity with fine by tugrug equal to ten thousand to eighty thousand units.

(This paragraph became invalid by the Law of May 11, 2017)

Article 25.4. Illegal exploration and excavation of paleontology, archeology

1. Illegal exploration, excavation and research of paleontology and archeology shall be punishable with fine by tugrug equal to two thousand seven hundred to fourteen thousand units, or the limitation of free travel right for term of six months to three years, or imprisonment for term of six months to three years.

(This paragraph was modified and edited by the Law of May 11, 2017)

2. Funding the illegal exploration, excavation and research of paleontology and archeology shall be punishable with fine by tugrug equal to five thousand four hundred to twenty seven thousand units or the limitation of free travel right for term of one to five years, or imprisonment for term of one to five years.

3. Committing such crime on behalf of legal entity or committing for the interest of legal entity shall be subject to punishment applies to legal entity with fine by tugrug equal to ten thousand to eighty thousand units.

Article 25.5. Organizing and mediating illegal trade of physical heritage of culture

1. Executing and mediating the illegal trade of physical heritage of culture shall be punishable with fine by tugrug equal to five thousand four hundred to twenty seven thousand units, or the limitation of free travel right for term of one to five years, or imprisonment for term of one to five years.

2. Committing such crime in organized criminal group shall be punished with imprisonment for term of two to eight years.

3. Committing such crime on behalf of legal entity or committing for the interest of legal entity shall be subject to deprivation of right to activity of such legal entity and fine by tugrug equal to ten thousand to eight thousand units.

(This paragraph became invalid in accordance with the law passed on 11 May 2017)

Article 25.6. Nonconformity to specified period to bring in the heritage of history and culture through the state border

1. Not bringing in the heritage of history and culture within the period specified by legislative procedure shall be punishable with fine by tugrug equal to two thousand seven hundred to fourteen thousand units, or the limitation of free travel right for term of six months to three years, or imprisonment for term of six months to three years.

(This paragraph was modified and edited by the Law of May 11, 2017)

2. Not bringing in the priceless and estimable heritage of history and culture within the period specified by legislative procedure, or misappropriation of heritage of history and culture shall be punishable with fine by tugrug equal to ten thousand to forty thousand units, or imprisonment for term of two to eight years.

CHAPTER TWENTY SIX

CRIMES AGAINST SECURITY OF ELECTRONIC INFORMATION

Article 26.1. Illegal invasion to electronic information

1. Accessing, exploring the data and system of computer through illegal invasion to electronic device, information network shall be punishable with fine by tugrug equal to two thousand seven hundred to ten thousand units, or limitation of free travel right for term of six months to two years, or imprisonment for term of six months to two years.

(This paragraph was modified and edited by the Law of May 11, 2017)

2. Damaging the legal interest of others by deleting, damaging, modifying, editing, duplicating the information, uploading more information, making software and network unable to operate or led it to loss of normal operation; hiding the computer data, limiting the accessibility to computer data, intentionally and illegally transferring data in computer system, limiting computers operation; destroying and damaging the device storing data through illegal invasion to electronic device, information network shall be punishable with fine by tugrug equal to five thousand four hundred to twenty seven thousand units, or the limitation of free travel right for term of one to five years, or imprisonment for term of one to five years.

3. The loss of normal operation of public authority caused by the crime stated in paragraph 2 of this Article; or committing such crime by invading the facility for initial necessity of public shall be punishable with fine by tugrug equal to ten thousand to forty thousand units, or imprisonment for term of two to eight years.

4. The imprisonment for term of five to twelve years shall be served in case the crime specified in paragraph 1, 2 of this Article:

4.1. committed by organized criminal group;

4.2. committed against computer information belong to state secret, crucial information and computer network.

Article 26.2. Developing and selling program and device for illegal invasion to electronic information network

1. Developing and selling special program and device for illegal invasion to electronic device and protected information network shall be punishable with fine by tugrug equal to five thousand four hundred to twenty seven thousand units, or limitation of free travel right for term of one to five years, or imprisonment for term of one to five years.

Article 26.3. Creating, using, spreading the destructive program

1. Creating, using intentionally, maliciously spreading the destructive program to terminate, damage, modify, copy, obtain the information stored in electronic device without permission, and to make the device and network storing software, information unable to operate and lose its normal operation shall be punishable with fine by tugrug equal to five thousand four hundred to twenty seven thousand units, or the limitation of free travel right for term of one to five years, or imprisonment for term of one to five years.

CHAPTER TWENTY SEVEN

CRIMES AGAINST THE RULES OF SAFETY OF TRAFFIC AND USE OF MOTOR VEHICLES

Article 27.1. Interfering with threat to the traffic of rolling-stock, ship, aircraft

1. Endangering the human life and health, or creating the circumstance of significant danger to the property of others by destroying, damaging, interfering the normal operation of the part of vehicle of transport and carriage and it rendering the part of such vehicle impossible to use, providing wrong command and warning, affecting the safety of aircraft, rolling-stock, ship with similar conduct shall be punishable with fine by tugrug equal to five thousand four hundred to twenty seven thousand units, or the limitation of free travel right for term of one to five years, or imprisonment for term of one to five years.

2. Inflicting serious and less serious damage to human health through affecting safety of traffic of aircraft, ship, rolling-stock to intentionally create the circumstance of accident, to cover the other crime, to commit other crime shall be punishable with fine by tugrug equal to ten thousand to forty thousand units, or imprisonment for term of two to eight years.

3. Recklessly committing the crime specified in paragraph 1 of this Article shall be punishable with fine by tugrug equal to four hundred fifty to five thousand four hundred units, or with community service for term of two hundred forty to seven hundred twenty hours, or the limitation of free travel right for term of one month to a year.

(This paragraph was modified and edited by the Law of May 11, 2017)

Article 27.2. Endangering the traffic of rolling-stock, ship, aircraft

1. Driving rolling-stock, steering ship, flying aircraft while lost the control of his/her act due to the state of drunkenness and narcotic intoxication; serious damage occurred to the health of human, occurrence of human death or serious damage occurred the property of others by machinist of train, pilot, captain of ship, person responsible for safety through significant violation of safety rule of traffic shall be punishable with fine by tugrug equal to five thousand four hundred to

twenty seven thousand units, or limitation of free travel right for term of one to five years, or imprisonment for term of one to five years.

Article 27.3. Violation of the safety rules of traffic and use of vehicles of railway, air, water carriage

1. Inflicting serious damage to human health or human death by person responsible for the oversight of safety rules of traffic and use of railway, air, water transportation through failure of proper performance of responsibility; inflicting serious damage to the property of others shall be punishable with fine by tugrug equal to five thousand four hundred to twenty seven thousand units, or the limitation of free travel right for term of one to five years, or imprisonment for term of one to five years.

Article 27.4. Interfering the operation of flight crew

1. Hindering the normal operation of flight crew through interfering inflight crew operation shall be punishable with fine by tugrug equal to four hundred fifty to one thousand three hundred fifty units, or with community service for two hundred forty to seven hundred twenty hours, or the limitation of free travel right for term of one to three months.

(This paragraph was modified and edited by the Law of May 11, 2017)

2. Passenger inflicting the hindrance to flight operation and the threat to human health and life, property of others by abusively interacting with other passenger during the flight, inflicting the long period of delay to flight operation shall be punishable with fine by tugrug equal to four hundred fifty to two thousand seven hundred units, or with community service for term of two hundred forty to seven hundred twenty hours, or the limitation of free travel right for term of one to six months.

(This paragraph was modified and edited by the Law of May 11, 2017)

Legal meaning of terms: "flight" stated in this paragraph means aircraft is deemed inflight for the period from sealing the doors of aircraft after the embarkation until opening the doors of aircraft to disembark human, cargo. Flight is deemed operated until the authorized person receives the responsibility for aircraft itself, passengers inside of it, properties loaded in it in case of emergency landing.

Article 27.5. Destroying and damaging the surveillance device of aircraft of accident and incident

1. Intentionally destroying and damaging the device containing technical data, data of cockpit voice and video recorder placed in aircraft which used for obtaining data used for investigating the aircraft accident and incident shall be punishable with fine by tugrug equal to five thousand four hundred to twenty seven thousand units, or the limitation of free travel right for term of one to five years, or imprisonment for term of one to five years.

2. Destroying and damaging the surveillance device of aircraft to cover the committed crime or to commit other crime shall be punishable with fine by tugrug equal to ten thousand to forty thousand units, or imprisonment for term of two to eight years.

Article 27.6. Destroying, damaging air navigation equipment, disrupting air traffic

1. Disrupting the air traffic by destroying and damaging air navigation equipment shall be punishable with fine by tugrug five thousand four hundred to twenty seven thousand units, or the limitation of free travel right for term of one to five years, or imprisonment for term of one to five years.

2. Inflicting serious damage to human health or human death; serious damage to property of others due to such crime shall be punishable with imprisonment for term of two to eight years.

Article 27.7. Violation of safety of air traffic

1. Conducting unpermitted commercial flight, nonconforming with the command of air traffic controller for route direction, unpermitted alteration of flight route and landing location without reasonable excuse shall be punishable with suspension of operation license for term of up to one year and fine by tugrug equal to two thousand seven hundred to ten thousand units, or the limitation of free travel right for term of six months to two years, or imprisonment for term of six months to two years.

(This paragraph is amended in accordance with the law passed on 11 may 2017)

2. Committing such crime by intentionally violating the rule for international flight shall be punishable with deprivation of right for certain activity for term of up to two years and fine by tugrug equal to five thousand four hundred to twenty seven thousand units, or imprisonment for term of six months to a year.

3. Aircraft crashed, occurrence of human death and large amount of damage due to such crime shall be punishable with deprivation of right for certain activity for term of up to five years and imprisonment for term of five to twelve years.

Article 27.8. Hijacking of an aircraft

1. Seizure of and flying the aircraft for the purpose of hijacking shall be punishable with imprisonment for term of five to twelve years.

2. The imprisonment for term of twelve to twenty years shall be served if such crime is:

2.1. committed by method and weapon dangerous to the lives of mass;

2.2. committed by organized criminal group;

2.3. serious damage occurred to human health or human death.

Article 27.9. Violation of rule for use of road facility and safety of maintenance

1. Infliction of serious damage to human health, or human death, or large amount of damage caused by violation of procedure on use of road and road facility, maintenance shall be punishable with fine by tugrug equal to five thousand four hundred to twenty seven thousand units, or imprisonment for term of one to five years.

2. Committing such crime on behalf of legal entity or committing for the interest of legal entity shall be subject to punishment applies to legal entity with fine by tugrug equal to ten thousand to eighty thousand units.

Article 27.10. Violation of rule of safety of traffic and use motor vehicle

1. Infliction of less serious damage to human health by driver of motor vehicle through violating traffic safety legislation and administrative norms approved in accordance with it shall be punishable with fine by tugrug equal to four hundred fifty to five thousand four hundred units, or community service for term of two hundred forty to seven hundred twenty hours, or restriction on right of free travel for term of one month to a year.

(This paragraph was modified and edited by the Law of May 11, 2017)

2. Deprivation of driver's license for term of one to three years and limitation of free travel right for term of six months to three years, or imprisonment for term of six months to three years shall be served if such crime is committed:

2.1. in state of drunkenness, narcotic intoxication;

2.2. by a person who has no driver's license;

2.3. by inflicting serious damage to human health;

2.4. by infliction large amount of damage.

(This paragraph was modified and edited by the Law of May 11, 2017)

3. Occurrence of human death due to this crime shall be punishable with deprivation of driver's license for term of three to five years and restriction of right to free travel for term of one to five years, or imprisonment for term of one to five years.

4. Deprivation of driver's license for term of five to eight years and imprisonment for term of two to eight years shall be served if the crime specified in paragraph 3 of this Article is committed:

4.1. in state of drunkenness, narcotic intoxication;

4.2. by inflicting two or more human deaths.

Article 27.11. Fleeing the scene of car accident

1. Driver committed the specified in Article 27.10 intentionally fleeing the scene of car accident shall be punishable with fine by tugrug equal to four hundred fifty to two thousand seven hundred units, or with public service for term of two hundred forty to seven hundred twenty hours, or limitation of free travel right for term of one to six months.

(This paragraph was modified and edited by the Law of May 11, 2017)

CHAPTER TWENTY EIGHT

CRIMES AGAINST MILITARY SERVICE

Article 28.1. Disobeying the command

1. Inflicting damage to the interest of military service by disobeying the order given by supervisor, commander according to the military rules shall be punished with imprisonment for term of six months to a year.

(This paragraph was modified and edited by the Law of May 11, 2017)

2. The imprisonment for term of one to five years if such crime committed:

2.1. in group;

2.2. when the emergency is declared or in state of war.

Legal meaning of terms: Crimes against military service means committing crime specified in this chapter by Mongolian citizen who is serving in Mongolian Military, Border military service, or military reserve citizen who is in military mobilization, school.

Article 28.2. Opposing supervisor, commander

1. Opposing and offensively assaulting, threatened to use force the supervisor, commander for carrying out the activity of military service according to the legislations and rules shall be punished with imprisonment for term of one to five years.

Article 28.3. Violence by the commanders or superiors towards the subordinate

1. In a non-military manner, commander or superior treats and uses force or beats the subordinate, shall be punishable by imprisonment for a term of six months to one year

(The paragraph was amended by the Law of May 11, 2017)

Article 28.4. Violation of the statutory rules by military officers not subordinated to one another

(The title of this Article was modified by the Law of May 11, 2017)

1. Military officers not subordinated to one another fought each other or used force in other manner shall be punishable by imprisonment for a term of six months to one year.

(The paragraph was amended by the Law of May 11, 2017)

2. This crime was committed :

2.1. in group;

2.2. use of weapon or of specially prepared quality of arms shall be punishable by imprisonment for a term of one to five years.

Article 28.5. Desertion from the military service

1. With the intention of desertion from the military service, the military officer of the specific military unit or organization for army abandons post without permission, or failure to return to the place of service after completion of official assignment, holiday leave or hospital stay shall be punishable by imprisonment for a term of six months to one year.

(The paragraph was amended by the Law of May 11, 2017)

2. The crime was committed:

2.1. during the transition to war or state of emergency;

2.2. by officer or superintend shall be punishable by imprisonment for a term of one to five years.

Article 28.6. Evasion of the military service by means of mutilation or other methods

1. The evasion by military officer of performance by means of inflicting mutilation, or by means of malingering, the forging the documents, or fraudulently refused to perform the obligations of military service shall be punishable by imprisonment for a term of six months to one year.

(The paragraph was amended by the Law of May 11, 2017)

2. This act, if committed during the transition to war or state of emergency, shall be punishable by imprisonment for a term of one to five years.

Article 28.7. Sale, misappropriation or loss of military property, ammunition and explosive substances

(The title of this Article was modified by the Law of May 11, 2017)

1. The sale, pawning, gifting or rental of articles of clothing or equipment entrusted to a military officer and in like manner the loss or spoilage of said objects as a result of violating the regulations for their custody shall be punishable by restriction on mobility or imprisonment for a term of six months to one year.

(The paragraph was amended by the Law of May 11, 2017)

2. In the event that a military officer failed to assume, deceive or mislaid the military weapons, firearms and explosives entrusted to him, or not fulfilled duty of guarding the military technics, equipment, vehicles, transport equipment and military properties, he shall be punishable by imprisonment for a term of one to five years.

(The paragraph was amended by the Law of May 11, 2017)

3. This crime, if committed during the transition to war or state of emergency, shall be punishable by imprisonment for a term of two to eight years.

Article 28.8. Willful destruction or damaging of military equipment

1. Willful destruction or damaging of military weapons, firearms, transportation facilities, military technics and equipment shall be punishable by imprisonment for a term of one to five years.

2. This act, if committed during the transition to war or state of emergency, shall be punishable by imprisonment for a term of five to twelve years.

Article 28.9. Violation of the rules for handling military weapons, firearms and other materials hazardous to environment

1. Due to violation of the rules for handling military weapons, firearms and other materials hazardous to environment, objects and radioactive waste, this act has involved by the infliction of serious injury to human health, it shall be punishable by imprisonment for a term of one to five years.

2. Due to this act resulted the death to victim, it shall be punishable by imprisonment for a term of two to eight years.

Article 28.10. Violation of regulations governing operation requirements and driving of military vehicles

1. Due to violation of the regulations governing operation requirements and driving of military vehicles, if it caused serious damage to human health then the act shall be punishable by imprisonment for a term of six months to two years.

(The paragraph was amended by the Law of May 11, 2017)

2. The crime was committed:

2.1. in a state of drunken;

2.1. in a state of drunken;

Article 28.11. Violation of regulations governing military or training flight and their preparation

1. Violation of flight regulations or regulations governing the preparations for flights shall be punishable by imprisonment for a term of six months to one year.

(The paragraph was amended by the Law of May 11, 2017)

2. Due to such violation, a crash resulted death to victim it shall be punishable by imprisonment for a term of one to five years.

Article 28.12. Violation of rules regulating war watchman duty

1. Violation of rules regulating war watchman duties as timely detecting and repelling of a military attack by a foreign state shall be punishable by imprisonment for a term of one to five years.

(The paragraph was amended by the Law of May 11, 2017)

2. If this crime committed during the transition to war or state of emergency, it shall be punishable by imprisonment for a term of five to twelve years.

Article 28.13. Violation of regulation governing internal service

1. The violation of regulation governing internal service on the part of military officer in the duty /except standing guard/ of day guard at military unit or organization shall be punishable by imprisonment for a term of six months to one year.

(The paragraph was amended by the Law of May 11, 2017)

2. This act, if committed during the transition to war or state of emergency, shall be punishable by imprisonment for a term of one to five years.

Article 28.14. Violation of regulations governing standing guard service

1. Violation of regulations for standing guard service or the orders and instructions promulgated under such regulations shall be punishable by imprisonment for a term of six months to one year.

(The paragraph was amended by the Law of May 11, 2017)

2. This act, if committed during the transition to war or state of emergency, shall be punishable by imprisonment for a term of one to five years.

Article 28.15. Violation of regulations on border duty service

1. Violation of laws related to border protection or other rules and regulations adopted under such laws by a military officer assigned to a detachment for the protection of the national border of Mongolia shall be punishable by imprisonment for a term of six months to one year.

(The paragraph was amended by the Law of May 11, 2017)

2. This crime committed by a state frontier guard officer, superior or contracted military officer shall be punishable by imprisonment for a term of one to five years.

(The paragraph was amended by the Law of May 11, 2017)

3. Due to this crime, serious damage caused to the territorial integrity of Mongolia and inviolability of state border, it shall be punishable by imprisonment for a term of two to eight years.

Article 28.16. Quitting the field of battle without permission or refusal to use a weapon against hostile

1. The act of military officer as quitting the field of battle without permission during war time or violating instruction of the superior shall be punishable by imprisonment for a term of twelve to twenty years.

(The paragraph was amended by the Law of May 11, 2017)

Article 28.17. Voluntary surrender

1. Volunteer surrender out of military officer shall be punishable by imprisonment for a term of five to twelve years.

(The paragraph was amended by the Law of May 11, 2017)

2. This crime committed by a state frontier guard officer, superior or contracted military officer shall be punishable by imprisonment for a term of eight to fifteen years.

3. The abandonment to the enemy by commanding officer or left undirected the unit or squadron of military force under his command at the battle zone, or when not necessitated by the battle situation he/she left the fortifications, military equipment and other military resources as providing to the enemy's possession shall be punishable by imprisonment for a term of twelve to twenty years.

Article 28.18. Pillage

1. On the field of battle, thief of articles found on the dead and wounded persons shall be punishable by imprisonment for a term of one to five years.

Article 28.19. Illegal wearing of emblems of the Red Cross and Red Crescent and abuse of same

1. The wearing, in battle zones, of emblems of the Red Cross or Red Crescent by person not possessed of such right, used the flags or emblems of the Red Cross and Red Crescent, or of the color assigned to transportation facilities for medical evacuation shall be punishable by imprisonment for a term of six months to one year.

(The paragraph was amended by the Law of May 11, 2017)

CHAPTER TWENTY NINE

CRIME AGAINST SECURITY OF THE MANKIND AND PEACE

Article 29.1. Planning, preparing, unleashing or waging an aggressive war

1. Planning, preparing, unleashing or waging an aggressive war shall be punishable by imprisonment for a term of eight to fifteen years.

2. Waging an aggressive war shall be punishable by imprisonment for a term of twelve to twenty year or life imprisonment.

Article 29.2. Publicly propagandizing of aggressive war

1. Publicly propagandizing of war shall be punishable by imprisonment for a term of six months to one year.

(The paragraph was amended by the Law of May 11, 2017)

2. The crime was committed:

2.1. using the mass media;

2.2. by politically influential person shall be punishable by imprisonment for a term of one to five years.

Article 29.3. Proliferation of mass destructive weapons

(This Article was amended by the Law of April 26, 2018/)

1. The development, production, accumulation, acquisition and sale of all types of weapons as chemical, biological or mass destruction, and their raw materials, objects, equipment and technology prohibited under the international treaties to which Mongolia is a party, shall be punishable by imprisonment for a term of five to twelve years.

2. The crime was committed on behalf of legal entities or for interest of legal entities shall be punishable by a fine equal to one hundred and twenty to four hundred units of amount with deprivation of right to engage in specified business.

Article 29.4. Use of method and means prohibited during warfare

1. Cruel and inhuman treatment of prisoners of war or civilians; forced deportation of civilian population; plunder of national property in occupied territories, and use of means and methods of warfare prohibited under the international treaties to which Mongolia is a party, shall be punishable by imprisonment for a term of eight to fifteen years or life imprisonment.

2. Use of mass destruction weapons prohibited under the international treaties to which Mongolia is a party shall be punishable by imprisonment for a term of twelve to twenty years or life imprisonment.

Article 29.5. Genocide

1. The act committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group as such killing, causing serious harm to health of the human, forcefully imposing measures intended to stop the birth, forcibly transferring children of the group to another group, deliberately inflicting on the group conditions of life calculated to bring about physical destruction in whole or in part, or enforced disappearance shall be punishable by imprisonment for a term of twelve to twenty year or life imprisonment.

Article 29.6. Mercenarism

1. During an armed conflict or hostile, use of mercenaries with foreign citizenship who is not officially served for military force at the moment, or person not having permanent residency in the territory of Mongolia, or not a citizen of Mongolia who have recruitment, training, financing or any other material support shall be punishable by imprisonment for a term of five to twelve years.

2. The crime was committed:

2.1. by abusing the authorized functions, power or influence of official position;

2.2. by as involving child shall be punishable by imprisonment for a term of twelve to twenty years.

3. Participation by a mercenary in an armed conflict or war process shall be punishable by imprisonment for a term of twelve to twenty years or life imprisonment.

Article 29.7. Assault on persons enjoying international protection

1. With intent to waging a war or sharpening the relations between the states, assault on officers of Embassies seated in Mongolia, diplomatic mission, head representative of a foreign state, or staff member of an international organization that enjoys international protection, as well as as on official premises or living quarters, or transport vehicles of persons enjoying international protection shall be punishable by imprisonment for a term of five to twelve years.

2. This crime committed with acts of murdering, pledging of or causing significant damage or loss to the person under international protection shall be punishable by imprisonment for a term of twelve to twenty years or life imprisonment.

Article 29.8. Acts of terrorism

(The title of this Article was modified by the Law of October 10, 2019/

1. Criminal act by person intended to influence the government or international organization to make decision, modify the made decision or take refusal making decision and use of firearms, explosive or nuclear materials or source of radioactive radiation or venomous, poisonous, toxic or hazardous chemical or biological substances, internet, equipment or specially prepared objects with quality of arms; or threat to use the above mentioned intimidating the population; arson or kidnapping, taking into hostage of persons or objects, assassination, caused serious damage to persons' health; violent acts or acts dangerous to human life or body who did not actively participate in one of combatant parties in conditions of armed conflict shall be punished by imprisonment for a term of twelve to twenty years or life imprisonment.

(The paragraph was amended by the Law of October 10, 2019/

2. The crime was committed on behalf of legal entities or for interest of legal entities shall be punishable by forced dissolution.

(The paragraph was modified by the Law of May 11, 2017)

Legal meaning of terms: - "Hostage of object" shall be understood as the act of hostageing the transports, instalment of buildings, objects providing shelter to population or being under the international protection.

(The Legal meaning of term was added by the Law of October 10, 2019/

Article 29.9.Preparation for terrorist acts

(The title of this Article was modified by the Law of October 10, 2019/

1. For the purpose to carry out terrorist activities, establishing the organized criminal group, recruited others and engaged, trained them, provided firearms, weapons or specially prepared objects with quality of arms shall be punishable by imprisonment for a term of twelve to twenty years.

(The paragraph was amended by the Law of October 10, 2019/

2. The crime was committed on behalf of legal entities or for interest of legal entities shall be punishable by forced dissolution.

(The paragraph was modified by the Law of May 11, 2017)

Legal meaning of terms: - The act of a person who has voluntarily been informed about the criminal offense and timely warned the public authority or been assisted to put end the terrorist act shall be exempted from the conviction if it is not criminal act in nature.

(The Legal meaning of term was modified by the Law of October 10, 2019/

Article 29.10. Financing terrorism

(The paragraph was amended by the Law of October 10, 2019/

1. A terrorist person by any means, directly or indirectly provides or collects funds with intention that they should be used or in the knowledge that they are to be used in full or in part to carry out terrorist acts and activities shall be punishable by imprisonment for a term of five to twelve years.

2. This crime was committed as violating sanctions it shall be punishable by imprisonment for a term of eight to ten years.

3. This crime was committed as violating sanctions on behalf of legal entities or for interest of legal entities shall be punishable by forced dissolution.

4.The crime defined in paragraph 1 of this Article was committed on behalf of legal entities or for interest of legal entities, it shall be punishable by deprivation of right to engage in specified business with a fine equal to 120,000 to 400,000 units of amount.

Legal meaning of terms: - the term "sanctions" used in this Article shall be understood as targeted financial sanctions related to terrorism and the proliferation of weapons of mass destruction adopted under the Resolution of Security Council of the United Nations, and applying targeted financial sanctions apply to alist of designated persons or legal entities that adopted by the Government based on the proposal of the authority in charge of preventing terrorism

- The act of a citizen who has voluntarily been informed about the criminal offense stated in this Article and been assisted in the prevention of possible potential harm shall be exempted from the conviction if it is not criminal act in nature. This Legal meaning of term does not apply to paragraphs 2 and 3 of this article.

Article 29.11.Financing of proliferation of weapons of mass destruction

(The paragraph was added by the Law of April 26, 2018/

1. The act directly or indirectly collect, modify, transfer or spend assets with intention that they should be used in full or in part to carry out development, production, accumulation, acquisition and sale of all types of weapons as chemical, biological, or mass destructive weapons, their raw materials, objects, equipment and technology prohibited by international treaties to which Mongolia is a party, shall be punishable by imprisonment for a term of five to twelve years.

(The paragraph was added by the Law of October 10, 2019/

2. This crime was committed on behalf of legal entities or for interest of legal entities shall be punishable by deprivation of right to engage in specified business with a fine equal to one hundred and twenty to four hundred units of amount or by forced dissolution

(The paragraph was modified by the Law of October 10, 2019/

CHAPTER THIRTY

MISCELLENEOUS

Article 30.1. Entry into force

1. This Code shall enter into force on 01 July, 2017.

(The paragraph was modified by the Law of August 30, 2016/

SPEAKER

OF THE STATE IKH KHURAL

Z.ENKHBOLD