

LAW OF MONGOLIA

April 21, 1995

Ulaanbaatar city

ABOUT PERSONAL SECRETS

CHAPTER ONE
GENERAL PROVISIONS

Article 1. Purpose of the law

The purpose of this law is to regulate relations related to the establishment and protection of personal secrets.

Article 2. The concept of personal secrecy

"Personal secrecy" means the law of Mongolia for Mongolian and foreign citizens and stateless persons Confidential in accordance with the law and, if disclosed, the legitimate interests, honor and reputation of the person information, documents and physical objects that may cause obvious harm to a person.

Article 3. Legislation on personal secrecy

Legislation on personal secrecy shall consist of the Constitution, this law and other legislative acts.

CHAPTER TWO
TYPES OF INDIVIDUAL SECRETS, PROTECTION OF INDIVIDUAL SECRETS

Article 4. Types of personal secrets

1. There are the following types of personal secrets:

- 1 / secrets of correspondence;
- 2 / health secrets;
- 3 / property secrets;
- 4 / family secrets;
- 5) other secrets established by law.

2. Correspondence, health, property and family secrets shall be understood in this law in the following meanings:

1 / the confidentiality of correspondence, such as letters, telegrams, parcels, applications and postal communications information, documents and physical items exchanged with other persons and organizations by means of media;

2 / some of the health secrets of the individual and other dangerous features for the public information on diseases other than infectious diseases;

3) only the owner of the property, intellectual property, rights or his / her entrusted with the secrecy of the property information known to the public, as well as information obtained by the competent authority in accordance with the official duties, documents, numbers, contracts and physical items;

4) if the family secret is disclosed to others, the reputation of the individual and his / her family members, information that is contrary to reputation and interests.

3. Individual's own archives, savings, notes, seals and related images and sounds record can be kept private.

4. Paragraph 2 of Article 2 states that “diseases other than certain infectious diseases are dangerous to the public” does not include human immunodeficiency virus infection or acquired immunodeficiency disease.

/ This part was added by the law in 13 December 2012 /

/ This part was annulled by the Resolution No. 02 of December 12, 2014 /

Article 5. Protection of personal secrets

1. Individuals shall protect their secrets.

2. If necessary, personal secrets shall be kept by the state in accordance with the grounds and procedures provided by law. The organization can be protected.

3. An authorized official of a state organization specially authorized by law is only a law to get acquainted with personal secrets in accordance with the grounds and procedures specified in the legislation.

4. Disclosure of personal secrets to others by lawful persons or by proxy prohibited.

CHAPTER THREE
OTHER THINGS

Article 6. Disclosure of personal secrets

Mongolia's defense and national security interests, public health and law the relevant right of the state in exceptional cases of necessity in order not to cause harm to the interests of the state by the decision of the competent authority (official) to protect the health and other secrets of the individual may be disclosed within the specified limits.

Article 7. Appeal to court

If the person specified in paragraph 4 of Article 5 of this Law considers that he / she has disclosed his / her secrets to others, a copy A person has the right to file a complaint to the court.

Article 8. Liability for violators

8.1. If the actions of an official violating this law are not of a criminal nature, the Civil Service Law shall be liable in accordance with the law.

8.2. A person or legal entity that violates this Law shall be specified in the Criminal Code or the Law on Violations be held accountable.

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

Article 9. Entry into force of the law

This law shall come into force on July 1, 1995.