

# **Decree of the President of Mongolia**

Date: 3rd August, 2007

No. 195

Government Palace, Ulaanbaatar

## **On Approval of Regulation of Activities of Public Council at Anticorruption Agency**

Referring to clause 1, article 34, Constitution of Mongolia, clause 1, article 9, “Law about President of Mongolia” and sub clause 27.5, clause 27, “Anticorruption Law”, I DECREE:

Ratify Regulation of Activities of Public Council at Anticorruption Agency as attached.

N. Enkhbayar,  
President of Mongolia

## **Regulation of Activities of Public Council at Anticorruption Agency**

### **One. General Background**

- 1.1. Public Council (hereinafter the Council) at Anticorruption Agency shall be on staffing not permanent and activities shall be guided by this rule.
- 1.2. Purpose of activities of the Council is to support Anticorruption Agent proceeding sustainable activities on behalf of mass of public in frame of direction and duties set forth in Anticorruption law.
- 1.3. The Council shall keep respecting rules of law, not going under others' influences and principle of confidentiality.
- 1.4. The Council shall respect Anticorruption Agency's independent actions free from external control.
- 1.5. The Council shall not be involved from outside in internal deals of the Anticorruption Agent.

### **Two. Organization and Structure of the Council**

- 2.1. The Council shall be consisted of 15 (fifteen) councilors and it has sub-councils as follow (further Sub council).
  - 2.1.1. Public Relation Sub council
  - 2.1.2. Research and Development Sub council.
- 2.2. Chairman of the Council shall establish these sub councils having agreed with the Head of the Anticorruption Agency and shall divide the councilors making them belong to the sub councils. A sub-council must elect one of its members to be the chairperson of that sub-council by means of slating.

### **Three. Forms of Operation of the Council**

- 3.1. Main form of operation of the Council shall be a meeting of Council (further, Meeting).
- 3.2. Meeting of the Council shall be held at least two times in a quarter and it shall be effective if most of the councilors participated in.
- 3.3. The Chairman of the Council or the Sub councils may suggest agenda for a Meeting.
- 3.4. Chairman or Vice Chairman of the Anticorruption Agent can offer agenda for the meeting.

3.5. The Sub councils shall have meetings not less than 2 (two) times in a quarter.

#### **Four. Function of the Council**

- 4.1. The council shall implement functions stipulated in the Anticorruption Law as follow.
- 4.1.1. to initiate and put forward suggestions to involve the masses actively in combating corruption;
  - 4.1.2. to transmit corruption related ideas of the masses to Anticorruption Agency;
  - 4.1.3. to investigate and study corruption conditions and make summary conclusions.
  - 4.1.4. to investigate realization of anticorruption law and regulations and provide conclusions.
- 4.2. The Council shall issue recommendation regarding matter of discussion of the meeting and the recommendation shall be submitted to Anticorruption Agency.

#### **Five. Course of Activities of the Council**

5.1. The Council should keep activity directions as follow.

##### **Public Relation Sub-Council:**

- 5.1.1. Make known corruption dangers to people and establish view to abstain from corruption.
- 5.1.2. Organize meetings, conferences, trainings and propaganda regarding combating corruption and prevention.
- 5.1.3. Harmonize activities of Non-Governmental Organizations oriented combating anticorruption and civil voluntary activities and movements with operation of Anticorruption Agency.
- 5.1.4. Collaborate with international organizations, foreign countries, governmental and nongovernmental organizations in project development and implementation in sphere of the capital city, regional and country sides.

##### **Research and Development Sub-Council**

- 5.2.1. Evaluate implementation of anticorruption law and regulations and corruption circumstances and make corresponding conclusion.
- 5.2.2. Give comments and recommendations on investigation of corruption level and trends executed by the Anticorruption Agency.
- 5.2.3. Provide recommendation and comments on enhancement of legal environment of combating corruption.

- 5.2.4. Appeal to the public and organizations to joint combating corruption, in order to ensure implementation of anticorruption law and regulations.

## **Six. Power of Chairman and Members of the Council**

- 6.1. Chairman and members of the Council shall carry out potencies as follow, adhering firmly to Mongolian codes and regulations.

Chairman of the council is entitled to rights as follow, in addition to said in clause 6.3.

- 6.1.1. Communicate on behalf of the Council the Anticorruption Agency, other organizations and citizens.
  - 6.1.2. Organize and lead meetings of the Council and appoint a time for.
  - 6.1.3. Hand over recommendations issued by the meeting to Head of the Anticorruption Agency and explain backgrounds of the recommendations.
  - 6.1.4. Answer for result and benefit of activities ion front of the Anticorruption Agency.
- 6.2. Head of the Sub council is entitled to rights as follow, in addition to said in clause 6.3:
  - 6.2.1. To organize and lead meetings appointing a time for.
  - 6.2.2. Put into agendas issues of discussion based on permission, submitting the issues to the Chairman of the Council.
  - 6.2.3. Get information and data related to the issues and not forbidden by codes from the Anticorruption Agency.
- 6.3. Councilors shall carry out rights as follow.
  - 6.3.1. In relation with issues, to express own views freely.
  - 6.3.2. To initiate and put forward suggestions in relation of implementation of functions stipulated in clause 4.1 of this Regulation.
  - 6.3.3. Collaborate with the Anticorruption Agency towards to prevention of corruption and enlightening.
  - 6.3.4. Not to come under urge and pressings of political parties, any of coalition and movements.
  - 6.3.5. Participate in meetings of the Council or Sub-Council in all cases excerpt legitimate reasons.
  - 6.3.6. Not disclose confidential information and data related to activities of the Anticorruption Agency.

## **Seven. Right and Obligation of the Anticorruption Agency**

- 7.1. The Anticorruption Agency shall apply rights and obligations in connection with collaboration with the Council.
  - 7.1.1. Deliver members meeting agenda and announcement 3 days before meetings of the Council or Sub-Council.
  - 7.1.2. Provide place for holding a meeting of the Council or Sub-Council and necessary equipment.
  - 7.1.3. Take measures to implement recommendations matching laws and regulations issued by the meeting of the Council and inform the Council.
  - 7.1.4. Render support and assistance necessary for activity of the Council and collaborate according to functions prescribed by laws and regulations.
  - 7.1.5. Ask the Council for assistance towards combating corruption on definite matters.
  - 7.1.6. Give precaution on activity not consistent in policy and combating corruption of the Council and the members.
  - 7.1.7. Provide the Council with necessary information and reports, if not stipulated in other way by law.
  - 7.1.8. Members of board of management of the Anticorruption Agency invited by the Council for a meeting may explain policy and activity of the Anticorruption Agency and give comments on matters of discussion at the meeting.

## **Eight. Appointment and Resignation of Chairman and Members of the Council**

- 8.1. The Anticorruption Agency shall propose for chairman and members of the Council citizens who meet requirements said in section 2, article 27 of the Anticorruption Law, asking for approval and the President should appoint the chairman and members.
- 8.2. If the President deviates from appointing a citizen as chairman or member, the Anticorruption Agency shall slate again.
- 8.3. Chairman and members of the Council can be resigned before their potency expiration in cases as follow.
  - 8.3.1. elected or appointed by nomination for political or genuine governmental employee of the Government,
  - 8.3.2. repeated actions not compatible with policy or activity of combating anticorruption.

- 8.3.3. court evidenced their criminal guiltiness and a resolution on judgment become effective.
  - 8.3.4. gave application for resignation because of health problem and other reasonable excuses.
  - 8.3.5. not participated without reasonable excuse in meetings of the Council or Sub-council
- 8.4. Chairman or members of the Council shall be resigned by the President of Mongolia based on suggestion of the Anticorruption Agency.

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