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## **REGULATION FOR CERTIFYING INFORMATION AND COMMUNICATION EQUIPMENT**

### **One. General Principles**

- 1.1 The purpose of certification and conformity assessment of information and communication equipment (hereinafter referred to as “equipment”) is to:
  - 1.1.1 To prove compliance with relevant standards, regulatory technical documents, and established requirements regarding human health, environmental safety, and radio frequency
  - 1.1.2 To ensure compliance with the Law on Standardization, Technical Regulation, and Accreditation of Conformity Assessment, and the implementation of the list of products and services that must undergo conformity certification.
  - 1.1.3 To type-approve equipment, issue and revoke conformity certificates for type-approved equipment, monitor compliance, and regulate related interactions.
  - 1.1.4 To prevent the entry of counterfeit and non-compliant products into the market and protect public interest.
- 1.2 An analysis of the implementation of this procedure will be conducted every 3 years, and necessary improvements or amendments will be made where applicable.

### **Two. Scope**

- 2.1 A citizen or legal entity of Mongolia (hereinafter referred to as the “Applicant”) must mandatorily type-approve equipment included in the list of products subject to conformity certification approved by the authorized body.
- 2.2 Equipment other than that specified in Section 2.1 of this procedure may be type-approved voluntarily.

### **Three. Principles for Validation Activities**

- 3.1 The following principles shall be considered in validation activities.
  - 3.1.1 Be based on evidence and documentation;
  - 3.1.2 Be non-discriminatory;
  - 3.1.3 Ensure fairness;
  - 3.1.4 Be prompt and continuous;
  - 3.1.5 Be open and transparent;

### **Four. General Conditions**

- 4.1 The Communications Regulatory Commission (hereinafter referred to as the “Regulatory Commission”) shall, in accordance with Article 9.1.3 of the Law on Communications, Article 20.3 of the Law on Radio Waves, and Article 14.3 of the Law on Standardization, Technical Regulation, and Accreditation of Conformity Assessment, certify the information and communication equipment for market supply and deployment, and issue conformity certificates for equipment that meets the established requirements.
- 4.2 Validation is classified into three types based on its application, as follows:
  - 4.2.1 Import Validation
  - 4.2.2 Domestic Production Validation
  - 4.2.3 Export Validation
- 4.3 RF modules that can be additionally installed in the host equipment and operate in conjunction with it can be type-approved separately.
- 4.4 Same type of equipment, with different model numbers, but same manufacturer declarations and test reports shall be considered a family model.

### **Five. Submit an Application**

- 5.1 The Applicant shall submit a request for equipment type-approval to the Regulatory Commission using the form approved by the Commission, either in paper or electronic format.
- 5.2 The application shall be in Mongolian, and supporting documents may be submitted in English if necessary.
- 5.3 The following documents shall be attached to the application for approval:
  - 5.3.1 An official letter stating the basis for the application, a description of activities, and a plan;
  - 5.3.2 **A document confirming the collaboration between the applicant and the manufacturer or supplier;**
  - 5.3.3 Declaration by the manufacturer or supplier;
  - 5.3.4 Information of the equipment to be validated (including description, user manual, technical specification, external and internal photos, block diagrams, etc)
  - 5.3.5 Test reports, demonstrating compliance with relevant standards and other regulatory documents;
  - 5.3.6 The drafts of the conformity agreement and certificate;
- 5.4 The test reports specified in 5.3.5 shall include health and safety, electromagnetic compatibility (EMC), and radio frequency (RF).
- 5.5 If the results of laboratory tests are recognized under agreements and arrangements with international, regional organizations, or trade partner countries, it shall be considered to meet the conditions specified in 5.4.
- 5.6 The Regulatory Commission may require a sample of equipment from the applicant and conduct tests if necessary for the evaluation and conformity assessment.
- 5.7 If the documents specified in 5.3 are incomplete, the applicant will be notified to provide the missing documentation. If the applicant fails to submit the required documents within the decision-making timeframe, the conformity assessment will not be carried out.

- 5.8 If the documentation specified in 5.3 is incomplete, the applicant will be notified electronically, and the documents will be returned.

### **Six. To conduct a conformity assessment and make a decision**

- 6.1 The conformity assessment will be conducted by a specialist of the Regulatory Committee, who is a qualified specialist authorized by the state administrative body responsible for standardization and technical regulation.
- 6.2 An evaluation working group may be established in cases where it is necessary to conduct testing on samples of equipment, production processes, on-site evaluations, and equipment manufactured using new and advanced technologies that have not been tested before. Professional and qualified individuals will be involved in the working group.
- 6.3 The qualified specialist and working group are obliged to maintain the confidentiality of industrial and technological information of citizens and legal entities obtained during the evaluation process and not to transfer it to third parties without permission.
- 6.4 The qualified specialist and the working group will evaluate the submitted documents by selecting the appropriate scheme from the 'Information and Communication Equipment Certification Scheme' and conducting an analysis.
- 6.5 The test results of the equipment for which validation is requested shall comply with the standards of Mongolia and international standards, and the operating radio frequency shall meet the National Radio Frequency Allocation Table, the radio frequency allocation and technical conditions approved by the Regulatory Commission, as well as other relevant regulatory technical documents.
- 6.6 If necessary, an on-site assessment of the equipment to be validated and the production process may be carried out at the manufacturer's facility.
- 6.7 The qualified specialist and the working group will issue the conformity assessment report and conclusion.
- 6.8 A specialist who did not participate in the evaluation process will analyze and validate the conformity assessment final conclusion.
- 6.9 The Regulatory Commission shall make a decision to issue the conformity certificate within 10 working days from the receipt of the application from the applicant, and the decision shall be in the form of an order from the Chairman of the Regulatory Commission.
- 6.10 If the issuance of the conformity certificate is denied, the reason shall be notified to the applicant.
- 6.11 The conformity certificate shall be issued for the period specified in Annex 1 of this procedure, 'Information and Communication Equipment Certification Scheme'.
- 6.12 The conformity certificate will be issued in either Mongolian or English, based on the applicant's request.
- 6.13 The conformity certificate shall include the following information:
- 6.13.1 The name and address of the applicant;
  - 6.13.2 The name and address of the manufacturer;
  - 6.13.3 The name, model, and related information of the equipment;
  - 6.13.4 Country of manufacture;

- 6.13.5 The operating radio frequency, technology, and applicable standards of the equipment;
  - 6.13.6 The laboratory that conducted the tests and the information in the report;
  - 6.13.7 The conformity assessment decision and, if necessary, the date of initial issuance of the conformity certificate;
  - 6.13.8 The validity period of the conformity certificate;
  - 6.13.9 The name and address of the certification body
- 6.14 At the applicant's request, the name of the manufacturer or supplier may be included in the information specified in 6.13.1, provided that the plan and the manufacturer or supplier's authorization are in place.
- 6.15 If the applicant requests a re-assessment for the conformity certificate, they shall submit the request to the Regulatory Commission at least 30 days before the expiration of the valid conformity certificate.
- 6.16 The Regulatory Commission or the holder of the conformity certificate may amend the conformity certificate to correct clerical errors or other similar mistakes, without changing the essential content of the certificate, upon request from the applicant or the certificate holder.

### **Seven. Notification of the decision and conclusion of the contract**

- 3.1 The Regulatory Commission shall send a notification to the applicant's registered email address regarding the decision to issue the conformity certificate.
- 3.2 The applicant shall enter into a contract and receive the conformity certificate within 30 days after receiving the notification specified in Section 7.1 of this procedure.
- 3.3 Exceeding the time limit specified in Section 7.2 of this procedure will constitute grounds for canceling the decision.

### **Eight. Auditing**

- 8.1 The Regulatory Committee shall verify and document through monitoring whether the equipment that has received a certificate of conformity continues to meet the conformity assessment requirements.
- 8.2 The Regulatory Commission shall conduct the audit using the following methods, either in combination or individually:
  - 8.2.1 Registration-based;<sup>1</sup>
  - 8.2.2 Risk-based;<sup>2</sup>
  - 8.2.3 Fact-based;<sup>3</sup>
- 8.3 The Regulatory Commission shall conduct an audit annually, starting from one year after the issuance of the conformity certificate, for the certificate holders specified in the 'Information and Communication Equipment Certification Scheme'.

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<sup>1</sup> Registration-based audit refers to the process of evaluating compliance with laws, regulations, and standard requirements based on the information, reports, and declarations in the equipment certification registration.

<sup>2</sup> Risk-based audit refers to the audit activities implemented to prevent potential negative impacts on human safety, consumer rights, the market, and the environment, based on the results of a risk assessment. This is determined by the equipment's radio frequency, technical specifications, and operational characteristics.

<sup>3</sup> Fact-based audit refers to the process of evaluating compliance with laws, regulations, and standard requirements by conducting on-site audits, measurements, testing, and gathering evidence, in cases where production processes and registration information are insufficient.

- 8.4 A risk-based audit may be conducted within the scope of the conformity certificate, regardless of the time limit specified in 8.3.
- 8.5 The certificate holder shall be notified in advance before the audit is conducted.
- 8.6 If non-compliance is found as a result of the audit, a period of at least 30 days will be given for correction, and if the non-compliance is not rectified within that period, the conformity certificate will be revoked.
- 8.7 The decision to revoke the conformity certificate will be notified to the certificate holder and the governmental authority responsible for standardization and technical regulation.
- 8.8 In cases where the Regulatory Commission conducts a risk-based audit, the equipment will be randomly selected from the market and tested in an accredited laboratory, with the results communicated to the users.

#### **Nine. Termination of the conformity certificate**

- 9.1 The conformity certificate shall be revoked based on the certificate holder's request or the results of the audit.
- 9.2 If the certificate is not submitted for a re-assessment and the validity period of the conformity certificate has expired, the conformity certificate will be considered terminated.

#### **Ten. Others**

- 10.1 The Regulatory Commission shall register and use the conformity mark with intellectual property rights, and the conformity mark may be used in voluntary certification.
- 10.2 The Regulatory Commission shall publish the certification decisions and the information of conformity certificate on its website within 5 working days after the decision date.
- 10.3 In the event of complaints or disputes, they shall be resolved in accordance with the relevant laws and regulations.

Annex 1 of the “Regulation for Certifying Information  
and Communication Equipment.”

INFORMATION AND COMMUNICATION EQUIPMENT  
CERTIFICATION SCHEME

№	Scheme Number	Scheme 1a	Scheme4	Scheme 6	Scheme 7
Application of the Scheme Procedure		Import (with sample)	Domestic	Export	Import (without sample)
Validity Period of the Conformity Certificate		4 years	4 years	3 years	3 years
1.	Receiving the request and related documents, verifying the completeness	√	√	√	√
2.	Appointing a qualified expert and working group	√	√	√	√
3.	Analyzing the request	√	√	√	√
4.	Conducting on-site evaluation	-	√	√	-
5.	Conducting radio frequency testing on the equipment sample	√	√	√	-
6.	Making a conclusion	√	√	√	√
7.	Supervising the conclusion	√	√	√	√
8.	Conducting analysis	√	√	√	√
9.	Decision-making and formalization	√	√	√	√
10.	Notifying the decision	√	√	√	√
11.	Signing a contract for the use of the conformity certificate	√	√	√	√
12.	Issuing the conformity certificate and contract	√	√	√	√
13.	Granting permission to use the certification mark	√	√	√	√
14.	Conducting an audit	√	√	√	√

## EXPLANATION OF THE APPLICATION OF THE INFORMATION AND COMMUNICATION EQUIPMENT CERTIFICATION SCHEME

№	Explanation
Scheme 1a	<p>The first scheme applies to the evaluation of conformity for imported equipment, equipment for which mandatory or voluntary certification is requested, and equipment samples submitted for evaluation</p> <ul style="list-style-type: none"> <li>▪ The completeness of the request package will be verified, and if the documents are complete, an analysis will be conducted to assess compliance with the relevant standards and normative requirements.</li> <li>▪ A sample of the equipment will be taken for radio frequency measurement.</li> <li>▪ A conclusion will be made based on the evidence fully meeting the provisions outlined in sections 5.3-5.6 of this procedure.</li> <li>▪ The conclusion will be supervised, validated, and a decision will be made.</li> <li>▪ The decision will be notified, a contract for the use of the conformity certificate will be signed, and the conformity certificate will be issued.</li> <li>▪ The validity period of the conformity certificate is 4 years</li> <li>▪ An audit will be conducted one year after the issuance of the conformity certificate</li> </ul>
Scheme 4	<p>The scheme 4 applies to the conformity evaluation of domestic manufacturing equipment, equipment for which mandatory or voluntary certification is requested, and equipment samples submitted for evaluation.</p> <ul style="list-style-type: none"> <li>▪ The completeness of the request package will be verified, and if the documents are complete, an analysis will be conducted to assess compliance with the relevant standards and normative requirements.</li> <li>▪ A sample of the equipment will be taken for radio frequency measurement.</li> <li>▪ An on-site evaluation will be conducted during the production process of the equipment</li> <li>▪ A conclusion will be made based on evidence fully complying with the provisions outlined in sections 5.3-5.6 of this procedure.</li> <li>▪ The conclusion will be supervised, validated, and a decision will be made.</li> <li>▪ The decision will be notified, a contract for the use of the conformity certificate will be signed, and the conformity certificate will be issued.</li> <li>▪ The validity period of the conformity certificate is 4 years.</li> <li>▪ An audit will be conducted one year after the issuance of the conformity certificate.</li> </ul>
Scheme 6	<p>The scheme 6 applies to the conformity evaluation of domestic manufacturing equipment intended for export, equipment for which mandatory or voluntary certification is requested, and equipment samples submitted for evaluation.</p> <ul style="list-style-type: none"> <li>▪ The completeness of the request package will be verified, and if the documents are complete, an analysis will be conducted to assess compliance with the relevant standards and normative requirements.</li> <li>▪ A sample of the equipment will be taken for radio frequency measurement.</li> <li>▪ An on-site evaluation will be conducted during the production process of the equipment.</li> </ul>

	<ul style="list-style-type: none"> <li>▪ A conclusion will be made based on evidence fully meeting the provisions outlined in sections 5.3-5.6 of this procedure.</li> <li>▪ The conclusion will be supervised, validated, and a decision will be made.</li> <li>▪ The decision will be notified, a contract for the use of the conformity certificate will be signed, and the conformity certificate will be issued.</li> <li>▪ The validity period of the conformity certificate is 3 years.</li> <li>▪ An audit will be conducted one year after the issuance of the conformity certificate.</li> </ul>
Scheme 7	<p>The scheme 7 applies to the conformity evaluation of imported equipment, equipment for which mandatory or voluntary certification is requested, and equipment that cannot provide samples for evaluation.</p> <ul style="list-style-type: none"> <li>▪ The completeness of the request package will be verified, and if the documents are complete, an analysis will be conducted to assess compliance with the relevant standards and normative requirements.</li> <li>▪ A conclusion will be made based on evidence fully complying with the provisions outlined in sections 5.3-5.5 of this procedure.</li> <li>▪ The conclusion will be supervised, validated, and a decision will be made.</li> <li>▪ The decision will be notified, a contract for the use of the conformity certificate will be signed, and the conformity certificate will be issued.</li> <li>▪ The validity period of the conformity certificate is 3 years.</li> <li>▪ An audit will be conducted one year after the issuance of the conformity certificate.</li> </ul>