

## **OPERATIONAL REGULATION OF THE FILM COUNCIL**

### **One. General provisions**

1.1 The organization and operations of the Film Council shall be regulated by this Regulation.

1.2. The operations of the Film Council (hereinafter referred to as the "Council") shall be guided by the Law on Culture, the Law on Promotion of Cinematography, other relevant legislation, and by and this Regulation.

1.3 The Council shall use the logo and letterhead developed in conformity with relevant procedures. The Council may have its own symbol.

1.4. The Council shall cooperate with state and local administrative organizations and other institutions in exercising its powers prescribed by law.

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

2.1. The Council shall establish sub-councils in the following areas of the Council's operations:

2.1.1. Sub-Council for Mongolian Film Promotion;

2.1.1. Sub-Council for International Cooperation;

2.1.3. Sub-council for Public Affairs.

2.2. Members of the Council shall work in the sub-councils specified in Article 2.1 of this Regulation, and the composition of sub-councils shall be decided by a meeting of the Council taking into account the level of representation of relevant state organization and professional sectors.

2.3. No more than two Chairpersons and members of the Council shall work for a sub-council.

2.4. A Sub-council shall be responsible for reviewing and exploring issues to be discussed at the meeting of the Council in advance, and developing relevant proposals.

2.5. Issues falling under the purview of particular sub-councils are as follows:

2.5.1. Sub-Council for Mongolian Film Promotion:

2.5.1.1. Issues related to cooperation with citizens and legal entities operating in the field of film production, and providing support within the framework of relevant legislation;

2.5.1.2. Issues related to making proposals and conclusions regarding funding and borrowing measures of the Film Promotion Fund; monitoring the financing

of projects and events; obtaining reports from relevant organizations and delivering conclusions;

2.5.1.3. Improving infrastructure essential for film production;

2.5.1.4. Making proposals on draft legislation within the scope of matters for which it is responsible; reviewing and resolving petitions and complaints received by the Council and obtaining explanations.

#### 2.5.2. Sub-Council for International Cooperation:

2.5.2.1. Issues related to making proposals and conclusions on issues related to the reimbursement of a certain percentage of film production costs; monitoring; obtaining reports, and delivering a conclusion for having relevant organizations conduct an examination;

2.5.2.2 Issues related to granting permission to foreign citizens and legal entities to shoot films in the territory of Mongolia for the purpose of filmmaking;

2.5.2.3. Make proposals on draft legislation within the scope of its responsibilities, review and resolve petitions and complaints received by the Council, and obtain explanations.

#### 2.5.3 Sub-council for Public Affairs:

2.5.3.1. Issues related to providing support for organizing international film festivals in Mongolia;

2.5.3.2. Issues related to determining the age categories to be applied in film distribution;

2.5.3.3. Issues related to ensuring and monitoring information security of databases and digital services;

2.5.3.4. Issues related to capacity building of the sector's human resources, organization of specialized training, and implementation of scholarship programs;

2.5.3.5 Issues related to the approval and implementation of a plan aimed at supporting young artists;

2.5.3.6. Film archives and film promotion issues;

2.5.3.7. Issues related to the nomination and participation of Mongolian films in international cinematographic events;

2.5.3.8. Making proposals on draft legislation within the scope of its responsibilities, reviewing and resolving petitions and complaints received by the Council, and obtaining explanations.

2.6 The Sub-Council shall present the issue to the Council in conformity with the scope of its responsibilities.

2.7. Members shall be notified at least three days prior to Council meetings, and an agenda of issues to be discussed shall be submitted along with relevant documents.

2.8. The main form of the Council's operations is the Council meeting. Meetings of the Council shall be considered valid given a majority of members are in attendance. Proposals shall be disclosed and any matter shall be resolved by a majority vote. In case a member of the Council is unable to attend a meeting due to acceptable reasons his/her attendance shall be deemed valid if he/she submits to the Chairperson of the Council, in advance, a written proposal on the issues to be discussed.

2.9. The Council's meetings may take place in a virtual format.

2.10. Decisions of the Council's meetings shall be in the form of resolutions. Minutes shall be taken during meetings.

2.11. A resolution of the Council shall be approved by the signature of the Chairperson and members of the Council, while the minutes of the meeting shall be signed by the Chairperson of the Council.

2.12. If it is considered that the process of delivering an opinion or conclusion of the members of the Council is at risk of being influenced, detailed minutes of the Council's meetings, as well as specific reasons for refusing a project or measures, may not be disclosed to the applicant and participants.

2.13. The Council shall make its decisions based on information, research, and facts and shall be free from conflicts of interest.

2.14. The Council's meeting shall be held at least once a month, and if necessary extraordinary meetings may be convened.

2.15 The relevant entity shall comply with legitimate decisions made by the Council.

### **Three. Rights and responsibilities of the Council**

3.1. In addition to the provisions of Article 9.16 of the Law on Promotion of Cinematography, the Council shall exercise the following rights and responsibilities:

3.1.1. Develop and review the strategic plan of the Council and submit it to the member of the Cabinet in charge of cultural affairs, and approve the functions of the Secretariat of the Council within the adopted budget and strategy;

3.1.2. Organize activities concerning special funds, reimbursement, permits for filmmaking and other activities through electronic systems, ensure their continuity and security, and approve relevant regulations;

3.1.3. Upon the recommendation of the Chairperson of the Council, appoint and dismiss the Head of the Secretariat of the Council as the Secretary of the Council,

and supervise the works of the Secretary of the Council (the Secretary of the Council shall not have a right to vote on a decision of the Council);

3.1.4. In case it is necessary, hire foreign or domestic specialized researchers and experts;

3.1.5 Review the draft budget and budget execution report of the Council and issue a conclusion;

3.1.6 Adopt rules, regulations, and instructions to be followed in the internal operations of the Council, and monitor their implementation;

3.1.7. Issue conclusions on whether the film industry meets the requirements of safety and other relevant standards;

3.1.8. Develop, introduce and promote the use of IT systems and software programs of the film industry, and ensure their sustainable operation;

3.1.9. Obtain reports, information, statements from business entities, organizations, and other relevant persons who have received the permissions specified in Article 20.1 and the assistance specified in Articles 12.1 and 15.1 of the Law on Promotion of Cinematography;

3.1.10. Organize human resource capacity building and specialization training in the film sector;

3.1.11. Other issues concerning film production.

#### **Four. Rights and responsibilities of the Chairperson and members of the Council**

4.1 The daily operations of the Council shall be coordinated by the Chairperson of the Council, and the Chairperson shall exercise the following rights and responsibilities:

4.1.1. Represent the Council in foreign and domestic relations without a power of attorney;

4.1.2. Determine the issues to be discussed at the Council's meeting, set the date of the meeting, and act as Chair;

4.1.3. Conclude agreements and negotiations with organizations, business entities, and citizens other than the Council;

4.1.4. Determine the roles and responsibilities of the head and staff of the Secretariat of the Council; appoint and dismiss them; hold them accountable; and set their salaries in compliance with relevant legislation;

4.1.5. Sign and certify permissions granted by decision of the Council;

4.1.6 Provide information on cinematography to the Cabinet and relevant state central administrative bodies;

4.1.7 Issue orders for the purpose of exercising the rights specified in law as well as this Regulation, and ensure their implementation;

4.1.8. Within the framework of legislation, approve and enforce prices and tariffs for products and services other than those specified in the law;

4.1.9. Manage the Council's budget in line with its intended purpose;

4.1.10. Monitor organizational matters related to the preparation of meetings of the Council and sub-councils, and compile necessary documents;

4.1.11. Organize professional capacity building and training for the staff of the Secretariat of the Council;

4.1.12. Monitor the implementation of the Council's decisions and take measures to ensure their implementation;

4.1.13. Carry out policies and actions aimed at enhancing the finance, solvency, and reputation of the Council in all respects on the basis of ensuring the regular operation of the council;

4.1.14. Strictly keep operational and business secrets acquired in the course of performing duties, and by no means use them in the interests of individuals or third parties;

4.1.15. For the purpose of ensuring the implementation of the decisions of the Council, assign tasks within one's competence;

4.1.16. Other rights prescribed by law.

4.2 A member of the Council has the following rights and responsibilities:

4.2.1. Submit proposals for the agenda of Council meetings;

4.2.2. Obtain additional documents and information related to the agenda of Council meetings;

4.2.3. Following the decision of the Council, become affiliated to a sub-council specified in Article 2.5 of this Regulation, and make proposals and conclusions and participate in the meetings of the Council and sub-councils with a right to vote;

4.2.4. Within the scope of implementing the decisions of the Council, assign tasks to the Secretariat of the Council through the Chairperson of the Council on issues within its competence, and monitor its implementation;

4.2.5 Strictly follow the rules of procedure of the Council and sub-councils;

4.2.6. In case there is a conflict of interest concerning activities that are directly related to an issue on the agenda, refuse to participate in the discussion and voting on the issue;

4.2.7. Under no circumstances must a Council member disclose secrets protected by organizations, law, and individuals;

4.2.8. Avoid providing information on issues other than those officially reported by the Council.

4.3. In the temporary absence of the Chairperson of the Council, the meeting of the Council shall be chaired by the most senior member upon the consent of the Chairperson.

4.4. In case the term of office of a member of the Council expires as specified in Article 9.12 of the Law on Promotion of Cinematography, a member of the Council shall be re-appointed. The term of office of a re-appointed member shall be the same as the remaining term of office of the outgoing member.

4.5. A member of the Council shall be remunerated depending on his/her participation in the meetings of the sub-council and the Council. The amount of remuneration shall be approved by the Council in consultation with the member of the Cabinet in charge of cultural affairs.