

CIVIL REGISTRATION LAW OF MONGOLIA

October 14, 1999

CHAPTER ONE

GENERAL PROVISIONS

Article 1. Purpose of the Law

1.1. The purpose of this law shall be to regulate relations on civil registration, as well as the structure, organization and activities of the body in charge of civil registration matters.

Article 2. Civil Registration Legislation

2.1. Civil registration legislation shall consist of the Constitution, this law and other legislative acts enacted in accordance therewith.

2.2. If an international agreement to which Mongolia is a party provides otherwise than this law, then the former shall prevail.

Article 3. Principles of Civil Registration Activities

3.1. The principles of respect for rights, freedoms and legitimate interests of individuals, resistance to others' influence, strict observance of citizens' privacy

shall be observed in the conduct of civil registration activities.

Article 4. Definitions

4.1. For the purposes of this law:

4.1.1. "civil registration" shall include activities provided in this law, concerning creation, modification and termination of rights and duties of citizens;

4.1.2. "civil registration system" shall include a complex of activities on covering of the population of Mongolia by unified registration and information indexes on the basis of issuing registration number to each citizen of Mongolia;

Article 5. Civil Registration and Keeping of Civil Registration

5.1. Civil registration shall consist of registers of marital status, households, IDs, national foreign passports, movements and foreign citizens.

5.2. The State Administrative Body to keep registers listed in 5.1 of this law shall make necessary entries in the register books and forms and keep civil registration by way of issue of relevant IDs and certificates on that basis.

5.3. Civil registration shall be kept in the Mongolian language.

Article 6. System of Civil Registration Organization

6.1. The State Center for Civil Registration and Information shall organize civil registration in the territory of Mongolia within the scope of matters of the member of the Government in charge of justice matters.

6.2. Governors of Aimags and capital city shall appoint, with consent of the Center for Civil Registration and Information, heads of Civil Registration and Information offices under offices of Aimags and capital city Governors.

6.3. Civil Registration and Information offices under offices of Aimags and capital city Governors shall coordinate and organize civil registration within their respective territories, ensure methodological direction of the Soum and Duureg civil registration employees, draw reports and balances according to the prescribed procedures and submit to the State Center for Civil Registration and Information.

6.4. Offices of Soum and Duureg Governors shall keep civil registration, and balances according to the prescribed procedures and submit to the Civil Registration and Information offices under offices of Aimags and capital city Governors.

6.5. Governors of Bags and Horoos shall keep the primary civil register-household registers in their respective territories.

6.6. Overseas Diplomatic and Consular missions of Mongolia shall, in accordance with established procedure, effect civil registration activity, prepare reports and data, and shall submit them to the State Center for Civil Registration and Information in accordance with procedure concerned.

6.7. The State Center for Civil Registration and Information and Civil Registration and Information offices under offices of Aimags and capital city Governors shall be financed from their income.

Article 7. Functions of The State Center for Civil Registration and Information

7.1. The State Center for Civil Registration and Information shall perform the following functions:

7.1.1. to conduct policy related to granting and invalidating civil identity cards and national foreign passports of Mongolia, certificates of residence in Mongolia, and certificates of births, marriages and deaths;

7.1.2. to create, keep and maintain in a computerized form the Civil Registration and Information fund of Mongolia;

7.1.3. to keep records on the total number of foreign citizens, immigrants, and stateless persons residing on the territory of Mongolia for official and private purposes.

7.1.4. to organize and supervise implementation of the rules and procedures for civil registration;

7.1.5. to create, keep and maintain archive funds of civil documents;

7.1.6. to keep a nation-wide unified civil registration and Information network;

7.1.7. to provide citizens, organizations and organs with information and references related to civil registration on requests;

7.1.8. to exercise methodological direction of the capital city and local civil registration employees;

7.1.9. to keep a unified index of citizens' addresses;

7.1.10. other functions provided in legislation.

Article 8. Civil Registration Employees And their Rights and Duties

8.1. Persons educated in law, demographics and economics shall be employed as civil registration employees.

8.2. Civil registration employees shall have the following rights:

8.2.1. to get from citizens and legal persons documents essential for registration;

8.2.2. to have an expertise conducted on a document in cases where its authenticity is doubtful;

8.2.3. to impose liability upon organizations and persons violating procedures for civil registration.

8.3. Civil registration employees shall have the following duties:

8.3.1. to check the completeness and authenticity of documents required for civil registration;

8.3.2. to keep registration correctly, in accordance with legislation, draw reports and balances;

8.3.3. to not divulge secrets of the state or organization and personal privacy of citizens learnt in the course of conduct of official duties;

8.3.4. to keep civil registration on move where required.

8.4. Expenses required for keeping the registers listed in 8.3.4 of this law shall be spent from the local budget.

8.5. Civil registration employees shall be prohibited from keeping registers concerning themselves, members of their families and relatives. In such a case another employee of the office of the Soum or Duureg Governor or of diplomatic representative office and consulate shall keep the register.

Article 9. Civil Registration Books, Forms, IDs and Certificates

9.1. The member of the Government in charge of justice matters shall approve designs of civil registration books, forms, IDs and certificates.

9.2. Each ID and national foreign passports shall have serial number; civil status certificates shall have not coinciding numbers in the given year.

Article 10. Civil Registration Charges

10.1. The State stamp duty law shall determine the amount of charges for civil registration and circumstances for relief of and release from charges.

CHAPTER TWO

REGISTRATION OF MARRIAGE AND HOUSEHOLD

Article 11. Types of Civil Status Registration

11.1. The state registration of civil status shall be kept with the purposes of protection of the property and personal non-property rights and interests of citizens, interests of state.

11.2. Registration of civil status shall be of the following types:

- 11.2.1. births;
- 11.2.2. marriages;
- 11.2.3. divorces;
- 11.2.4. restorations of marriages;
- 11.2.5. adoptions;
- 11.2.6. identifications of parents;
- 11.2.7. changes of family names, father's names, given names;
- 11.2.8. deaths.

11.3. The member of the Government in charge of justice matters shall approve rules for keeping registers listed in 11.2 of this law.

11.4. Members of the Government in charge of justice and foreign relations matters shall approve jointly instructions for registers to be kept by diplomatic representative office and consulates of Mongolia abroad.

Article 12. Registration of Birth

12.1. If due to valid reasons like undergoing long time treatment at hospital or serving imprisonment both parents are not able to register, their relative or a competent employee of a hospital where the child is shall have the child registered with the civil status registration within 15 days in cities, towns and villages and within 30 days in remote Soums or Bags.

12.2. Civil registration employee of the Governor's office of the Soum or Duureg of parents' residence or place of birth of the child shall register the child with the civil status registration on the basis of the following documents:

- 12.2.1. a medical certification about child's birth, health book or

if the child was born in circumstances rendering obtaining medical certification impossible, a certification by a witness;

12.2.2. parents' IDs;

12.2.3. parents' marriage certificate.

12.3. When registering a child born from the mother who has not registered her marriage the certificate mentioned in 12.2.3 of this law shall not be required.

12.4. Where parents are unable to come in person to register their child for good reasons, a civil registration employee may register at their home or another place.

12.5. Persons taking into their care found children whose parents are not identified or competent employee of an orphanage shall report with the police department within 2 days from the date of finding the child and file an application to register him/her with the civil status registration indicating gender, name- if known, place and date of birth of the child, own address, circumstances in which the child has been found to the Soum or Duureg Governor's office of the territory where the child has been found, with the following documents attached:

12.5.1. certification of a police department;

12.5.2. certification of a medical institution about determination of the child's gender and age.

12.6. Civil registration employee receiving an application indicated in 12.5 of this law shall make notes of the date, time, circumstances in which the child has been found, the child's age and gender, have it signed by the person taking into his/her care the child or by a competent employee of an orphanage and attach to the register.

12.7. A child born within 10 months from the death of his/her father shall be registered in birth register on the basis of the death certificate of the father and under his family name and given name.

12.8. A child born within 10 months from divorce or deeming it void shall be registered on the basis of joint application by parents or court decision.

12.9. Upon receipt of an application with documents indicated in 12.2 and in 12.5 of this law attached the civil registration officer shall issue a birth certificate.

12.10. Twins shall be registered one by one and issued certificates with consecutive numbers.

12.11. The following shall be indicated in the birth certificate:

12.11.1. the child's family name, father's name, date and place of birth, gender;

12.11.2. family names of parents, father's given name;

12.11.3. name of the place where registration of birth has been made, number of the certificate and registration;

12.11.4. date of registration of birth, signature of the official, stamp and seal;

12.11.5. date of issue of the birth certificate;

12.12. An application for inclusion into the civil register of a child over one year of age shall be submitted to the Soum or Duureg Governor's office of

parents' or child's residence with the following documents attached:

12.12.1. certification about child's birth from hospital;

12.12.2. in case of absence of a certification indicated in 12.12.1 a court decision determining child's birth.

12.13. Birth and death of a child who died prior to registration of his/her birth shall be registered separately by civil registration officer on the basis of certification by hospital.

12.14. Children born from citizens of Mongolia residing abroad shall be registered with diplomatic representative offices or consulates of Mongolia within 30 days from birth.

12.15. A child born on the territory of Mongolia from parents either one of whom is a Mongolian citizen and another is either foreign citizen or a stateless person shall be registered in accordance with the procedure provided for in this Article based on the parents' request.

12.16. A child born on the territory of a foreign country from parents either one of whom is a Mongolian citizen and another is a foreign citizen shall be registered according to the agreement between parents.

12.17. A child born on the territory of a foreign country from parents either one or both of whom are Mongolian citizens shall be registered at the registrar of civil status on the basis of a certificate of birth issued in the foreign country; and the certificate shall be replaced upon entering records in the certificate of birth issued in the foreign country.

12.18. A child born on the territory of Mongolia from foreign citizens or stateless persons may be registered and a certificate of birth may be issued in accordance with the procedure provided for in this Article.

Article 13. Registration of Marriage

13.1. Persons wishing to marry shall submit application for registration of marriage with the Soum or Duureg Governor's office of anyone's residence or of the place of common residence. Where persons wishing to marry wish so, the marriage may be registered solemnly.

13.2. Persons wishing to marry shall submit joint application indicating their family names and father names, addresses, dates of birth and other details with following documents attached:

13.2.1. IDs;

13.2.2. health certifications;

13.2.3. in case one of them has been married previously, copy of decision of relevant institution that effected divorce or archive certification;

13.2.4. in case of declaration by court of attainment by minor of full legal capacity under Article 12 of Civil Code- copy of the court decision.

13.3. Civil registration officer shall register marriages in the presence of the persons wishing to marry. Witnesses who attained 18 years of age and relatives may participate at request by the persons wishing to marry.

13.4. In case persons who are unable to be present at the Soum or Duureg

Governor's office due to valid reasons wish so, the civil registration officer may register their marriage at their domicile or another place.

13.5. If sufficient reasons preventing marriage provided in the Family Law exist, the civil registration officer may deny registration of marriage.

13.6. A marriage between a Mongolian and a foreign citizen, or a stateless person, or between foreign citizens, or stateless persons which takes place on the territory of Mongolia shall be registered by the organization specified in Article 11 of the Law on Legal Status of Foreign Citizens.

13.7. A Mongolian citizen marrying to a foreign citizen, or foreign citizens marrying on the territory of Mongolia shall, additionally to documents specified in para. 13.2 of this Law, attach a copy of officially notarized translation of their application, a reference documents issued by Diplomatic or Consular missions, or Civil Registration and Information offices of the country of citizenship of the foreign citizen concerned.

The reference document shall indicate surname, middle name, given name, date and place of birth, address of permanent residence and marital status of person going to marry.

13.8. A civil registration officer may translate and present the content of registration documents to persons marrying in accordance with the procedure provided for in para. 13.6. of this Law.

13.9. A civil registration officer upon the receipt of the documents specified in para. 13.2. and 13.7. within 30 days shall register marriage and issue a certificate. The following items shall be indicated in a certificate of marriage:

13.9.1. nationality, surname, middle name, given name and date of birth of persons going to marry;

13.9.2. date of starting family relations;

13.9.3. date of registration of marriage;

13.9.4. place of registration of marriage and certificate number;

13.9.5. signature of a registration officer and seal.

13.10. A marriage of Mongolian citizens married in accordance with foreign legislation shall be registered at the registrar of civil status on the basis of a certificate issued by the competent organization of the foreign country concerned and the certificate shall be replaced.

13.11. Overseas Diplomatic or Consular missions of Mongolia may register a marriage of Mongolian citizens residing overseas, or a Mongolian citizen and a foreign citizen within 30 days from the marriage.

13.12. A marriage of a Mongolian and a foreign citizen married in accordance with foreign legislation, provided it is not contrary to the legislation of Mongolia, may be registered at the registrar of civil status by the organization specified in Article 11 of the Law on Legal Status of Foreign Citizens on the basis of a certificate issued by the competent organization of the foreign country concerned and its officially notarized translation, and the certificate shall be replaced.

Article 14. Registration of Divorce

14.1. Citizens who have divorced in judicial procedure shall register divorce with civil registration within 10 days from the entry into force of court decision.

14.2. Citizens who have divorced in judicial procedure shall submit an application for registration of divorce with the Soum or Duureg Governor's office of their residence or of the place of registration of marriage with the following documents attached:

14.2.1. copy of court decision;

14.2.2. marriage certificate or archive certification.

14.3. Persons who consent to divorce in administrative procedure, without born or adopted children under 18 years of age and property claims shall submit with the Soum or Duureg Governor's office of their residence a joint application indicating their family and fathers' names, given names, number of marriage certificate and statement as to the consent to divorce, absence of born or adopted children under 18 years of age and property claims with the following documents attached:

14.3.1. marriage certificate;

14.3.2. certification by the Soum or Duureg Governor of the territory of their residence on absence of children under 18 years of age;

14.3.3. receipt of payment of the state stamp duty.

14.4. Divorce in administrative procedure shall be effected in the presence of the married. In case one of the married is unable to participate in the procedure due to valid reasons, divorce shall be effected within 30 days on the basis of his/her certified application to divorce in his/her absence and registered in the civil registration.

14.5. In case one of the spouses has been declared deceased or deprived of legal capacity, or court judgement sentencing him/her to more than 3 years of imprisonment has become final, the other party shall submit with the Soum or Duureg Governor's office of their residence his/her application for divorce indicating family, fathers' names and given names of the married, reason for divorce, address of the guardian of the spouse deprived of legal capacity with one of the following documents attached:

14.3.1. court decision on declaration of the spouse deceased;

14.3.2. court decision on declaration of the spouse deprived of legal capacity;

14.3.3. where one of the spouses has been sentenced to more than 3 years of imprisonment, copy of judgement.

14.6. Civil registration officers of the Soum or Duureg Governor's offices shall receive and consider applications with attached documents listed in 14.2, 14.3 and 14.5 of this law, register divorces and issue divorce certificates. The following shall be indicated in divorce certificates:

14.6.1. citizenship, family and fathers' names of the divorced;

14.6.2. time of termination of marriage;

14.6.3. name of the organ effecting divorce;

14.6.4. name of the registering organ, date, signature of the official, stamp and seal.

14.7. Where divorce is registered in a place other than marriage, civil registration officer shall send a notification for modification of an entry to Civil

Registration and Information office under the relevant Soum or Duureg Governor's office and to the State Center for Civil Registration and Information.

14.8. Foreign citizens or stateless persons permanently residing on the territory of Mongolia shall divorce in accordance with the Family Law of Mongolia if otherwise is not provided in international treaties of Mongolia.

14.9. A divorce of Mongolian and a foreign citizen registered in accordance with foreign legislation, provided it is not contrary to the legislation of Mongolia, may be registered at the registrar of civil status by a civil registration officer on the basis of a certificate issued by the competent organization of the foreign country concerned and its officially notarized translation, and a certificate of divorce may be issued.

Article 15. Registration of Restoration of Marriages

15.1. Spouses shall jointly register restoration of marriage.

15.2. Spouses shall jointly submit an application for registration of restoration of marriage to the Soum or Duureg Governor's office of their place of residence with one of the following documents attached:

15.2.1. copy of court decision on revocation of decision declaring that a citizen is missing or deceased;

15.2.2. copy of court decision on revocation of decision to divorce;

15.2.3. certificate of divorce in administrative procedure.

15.3. Civil registration officer shall register restoration of marriage upon inquiries as to any of the spouses has not married to another person made from archives and issue marriage certificate anew.

Article 16. Registration of Adoption

16.1. Adoptive parents shall register adoptions with the civil status registration.

16.2. Adoptive parents shall submit an application for adoption indicating the child's family name, father's name, given name, date of birth, addresses and citizenship if required of blood parents or guardians to the Soum or Duureg Governor's office of child's place of residence or of his/her previous residence with the following documents attached:

16.2.1. marriage certificate, if married;

16.2.2. child's birth certificate;

16.2.3. IDs of adoptive and parents giving the child into adoption;

16.2.4. if the child is at orphanage, its consent.

16.3. A foreign citizen wishing to adopt a child who is a Mongolian citizen or a stateless person residing on the territory of this country shall lodge in writing officially notarized request for adoption to the State Center for Civil Registration and Information in Capital City, or to Civil Registration and Information offices of Aimag Governors in local areas.

16.4. A request of a foreign citizen wishing to adopt a child who is a Mongolian citizen residing overseas shall be considered by overseas Diplomatic or Consular missions of Mongolia in accordance with this Law.

16.5. An adoption procedure of a child who is a Mongolian citizen or a

stateless person residing on the territory of Mongolia and a list of documents to be compiled by a foreign citizen shall be jointly approved by members of the Government in charge of justice, health and welfare.

16.6. The State Center for Civil Registration and Information, Civil Registration and Information offices of Aimag Governors, Governors' Offices of Souns and Duuregs, and Diplomatic or Consular missions upon receipt of the documents specified in para. 16.2. and 16.5. of this Law shall register the fact of child adoption, rewrite and issue a certificate of birth to adoptive parents. Parents, guardians of a child given for adoption shall be issued by a certificate of adoption. The following items shall be indicated in the certificate of adoption:

16.6.1. surname, middle name, given name, date of birth, gender and place of birth of a child;

16.6.2. surnames, middle names and given names of adoptive parents and parents who have given for adoption, or guardians;

16.6.3. place of registration of adoption and a certificate number;

16.6.4. date of registration, signature of officer and seal.

16.7. If adoption has been registered at place other than birth, civil registration officer shall send a notification for modification of an entry to Civil Registration and Information office under the relevant Soum or Duureg Governor's office that has registered birth.

16.8. Organs indicated in 16.2, 16.3 and 16.4. may issue certifications about adoption if required.

16.9. Civil Registration and Information office shall modify an entry on the basis of court decision on revocation of adoption and give the restored birth certificate to child's blood parents or guardians.

Article 17. Registration of Affiliation

17.1. An affiliation shall be registered on the basis of a joint application lodged by both parents; or a request individually made by a father, if a mother is deceased, or is declared by court order as to be deceased or incapacitated, or if a court decision on deprivation of maternity has become effective, or an effective affiliation order.

17.2. An application for registration of affiliation together with an attached affiliation order shall be lodged to Governor's Office of Souns or Duuregs by a mother or a father, or a child if he or she has reached the age of 16 at the place of their residence; or by guardians at the present or former place of residence of a child.

17.3. An affiliation of a child born out of wedlock shall be registered at the registrar of civil status on the basis of a joint application for registration of affiliation (the following items shall be indicated: surname, middle name, given name, date of birth, nationality, address of the place of residence of a citizen admitting himself as the father; surname, middle name, given name, gender, date and place of birth of a child; reference to whether the surname and middle name of the child is to be changed after the affiliation) lodged by both parents.

17.4. An application related to a child born out of wedlock (the following items shall be indicated: surname, middle name, given name, date of birth, nationality,

address of the place of residence of a citizen admitting himself as the father; surname, middle name, given name, gender, date of birth of a child; reference to whether the surname and middle name of the child is to be changed after the affiliation) shall be individually lodged by a father to Governor's Office of Soums or Duureg at the place of his residence; or at the present or former place of residence of the child if a mother of the child is deceased, or is declared by court order as to be missing or incapacitated, or has been deprived of maternity, and any of the following documents shall be attached thereto:

17.4.1. a certificate of death of a child's mother;

17.4.2. a court order declaring a child's mother as to be incapacitated or its copy;

17.4.3. a court order depriving a child's mother of maternity or its copy;

17.4.4. a court order declaring a child's mother as to be missing or its copy;

17.5. A civil registration officer of Governor's Office of Soums or Duuregs shall upon receipt of the documents specified in Article 17 of this Law register the affiliation and issue a new certificate of birth.

17.6. If not provided otherwise in the Law, an affiliation related to a foreign citizen or a stateless person shall be registered in accordance with the provisions of Article 17 of this Law.

17.7. Determination of maternity shall be registered in accordance with the procedure provided for in para. 17.4. of this Law.

Article 18. Registration of Change of Family Name, Father's Name and Given Name

18.1. Change of family and/or given names shall be registered on the basis of resolution of Soum or Duureg Governor of the territory of residence of a citizen or of the territory where birth was registered.

18.2. Change of family name, father's name and given names of minors and persons deprived legal capacity shall be registered with the consent of his/her guardian.

18.3. When changing family name, father's name and given names of persons under the age of 18 their written consent shall be obtained.

18.4. Citizens shall submit applications for change of family name, father's name and given name indicating his/her family name, father's name, given name, date of birth, address, marital status, family name, father's name and given names of born or adopted children, applicant's chosen family name, father's name, given name, reasons for change to the Soum or Duureg Governor's office of their place of residence of the child or of his/her previous residence with the following documents attached:

18.4.1. birth certificate;

18.4.2. copy of ID;

18.4.3. copy of birth certificate if the applicant is under the age of 16;

18.4.4. written consent of children of 16 to 18 years of age;

- 18.4.5. marriage certificate, if the applicant is married;
 - 18.4.6. certification from the police about having not been convicted;
 - 18.4.7. Decree of the President Mongolia on granting of Mongolian citizenship to a foreign citizen or a stateless person;
 - 18.4.8. receipt of payment of state stamp duty.
- 18.5. When registering change of name of a citizen, father's name of children bearing his name shall be changed accordingly.
- 18.6. Female citizens of Mongolia married to foreign citizens may be registered under their husbands' family names.
- 18.7. Citizen's family name, father's name and given name may be changed not more than once. Citizens may file applications to restore the previous family name, father's name and given names.
- 18.8. Change of family name, father's name or given names of suspects, the accused, convicts as well as of the persons who have been convicted is prohibited.
- 18.9. Soum or Duureg Governor's offices shall receive and consider applications with attached documents listed in 18.4 of this law, register change of family name, father's name or given name within 30 days, renew civil documents and issue certificate of change of family name, father's name and given name. The period for consideration of an application for change of family name, father's name and given name can be extended for valid reasons. The following shall be indicated in certificate of change of family name, father's name and given name:
- 18.9.1. date of birth of the person changing his/her family name, father's name or given name;
 - 18.9.2. family name, father's name or given name;
 - 18.9.3. date and number of the resolution of the Soum or Duureg Governor, the new family name, father's name or given name;
 - 18.9.4. date of making entry in the register, number of the certificate;
 - 18.9.5. name of the place of registration, signature of the official, stamp and seal.
- 18.10. Member of Government in charge of justice matters shall approve the procedure for change of family name, father's name or given name.
- 18.11. Educational institutions and social security organs may renew diplomas, certificates, social insurance, health and pension books on the basis of a certificate of change of family name, father's name or given name.

Article 19. Registration of Death

19.1. Deaths of citizens shall be registered by his/her parents, spouse, children over 18 years of age, relatives, other persons or management of the institution or organization he/she was employed at, studied, treated or served military service within 5 days for cities, towns and villages and within 10 days for country; if the death occurred for unknown reasons or a corpse has been found, the police shall register with the Soum or Duureg Governor's office of the place of residence the deceased, the place of death or the place a corpse has been found within 10 days.

19.2. Where death is registered in a place other than the place of his/her residence, civil registration officer shall send a notification for modification of

an entry to Civil Registration and Information office under the relevant Soum or Duureg Governor's office.

19.3. Soum or Duureg Governor's offices shall register death on the basis of the following documents:

19.3.1. certification of death by hospital and certification about funeral;

19.3.2. court decision on declaration that citizen is deceased or its copy;

19.3.4. conclusion of a forensic expertise on the reason of death.

19.4. Where a citizen is declared deceased by court, his/her relatives, or management of the institution or organization he/she was employed, studied or treated at or other persons shall register death with the Soum or Duureg Governor's office of the territory of the court that rendered the decision.

19.5. Soum or Duureg Governor's offices shall receive and consider applications with attached documents listed in 18.4 of this law, register deaths and issue death certificates. The following shall be indicated in death certificate:

19.5.1. date and place of death;

19.5.2. family name, father's name and given name of the deceased;

19.5.3. citizenship and address of the deceased;

19.5.4. signature of the official who has registered death, stamp and seal;

19.5.5. date of issue of the certificate.

19.6. In case a detainee at the police department or organs executing court decisions or a convict decease, death shall be registered with the Soum or Duureg Governor's office of the place of his/her residence or where his/her residence is unknown, Soum or Duureg Governor's office of the territory of the police department or where he/she served the sentence; in case the capital punishment has been executed, with the State Center for Civil Registration and Information within 10 days and death certificate shall be sent to the deceased's relatives.

19.7. A foreign citizen or a stateless person who became missing under life-threatening circumstances and who is believed to have died on the territory of Mongolia, or as a result of accident of air or other transportation of this country, declared to be deceased in accordance with the provisions of Article 19 of the Civil Code may be registered.

19.8. In case a citizen of Mongolia decease in the territory of a foreign state, diplomatic representative office or consulate of Mongolia abroad shall register death in accordance with Article 19 of this law.

Article 20. Registration of Change of Gender

20.1. In case a citizen of Mongolia has had her/his gender changed in medical procedure or one gender prevails over another for natural reasons, the Soum or Duureg Governor's office may register on the basis of medical certification and renew his/her birth certificate and ID.

Article 21. Registration of Household

21.1. In accordance with subpara.8, para. 1, Article 19 of the Law on Administrative and Territorial Units, Governors of Bags and Horoos shall conduct population census, keep registers and give certifications when required.

CHAPTER THREE

REGISTRATION OF CIVIL IDENTITY CARDS, NATIONAL FOREIGN PASSPORTS AND MOVEMENT

Article 22. ID

22.1. ID shall be a document certifying the fact the given person is citizen of Mongolia. ID shall be of an approved design.

22.2. The Government shall approve designs of ID and certification and rules concerning ID.

22.3. IDs shall be issued initially to citizens who have attained the age of 16 years, renewed to citizens of 25 and 45 years of age and issued without expiry period to citizens over 45 years of age.

22.4. Citizens of Mongolia who have attained the age of 16 years of age shall file applications for ID with the Soum or Duureg Governor's office of the place of their residence with the following documents attached:

22.4.1. birth certificate;

22.4.2. decree of the President of Mongolia on grant or restoration of Mongolian citizenship.

22.5. The Soum or Duureg Governor's offices shall issue IDs upon receipt of the documents listed in 22.4 of this law within 30 days. All citizens of Mongolia over 16 years of age shall have IDs.

22.6. Citizens of Mongolia who have no definite domicile, shall be issued IDs on the basis of certifications from police departments by the same police departments or the Soum or Duureg Governor's office of the place of their residence.

22.7. Transfer to others, pledge and deliberately damaging of IDs shall be prohibited.

Article 23. National foreign passport, return ID, children's IDs

23.1. National foreign passport, return IDs and children's IDs shall be documents certifying that citizen of Mongolia is travelling abroad.

23.2. National foreign passport shall be of diplomatic, official and ordinary types.

23.3. The Central State Administrative Body in charge of foreign relations shall issue, prolong, render invalid and keep unified register of diplomatic and official passports and children certificates to be attached to them; the State Center for Civil Registration and Information in the capital city and Civil Registration and Information offices under Governors' offices in local area shall issue, prolong, render invalid and keep unified registers of national ordinary passports and children certificates to be attached to them respectively.

23.4. Diplomatic representative offices and consulates of Mongolia abroad shall have the powers to issue, prolong and render invalid diplomatic, official

and ordinary passports, return IDs and child certificates where required.

23.5. The Government of Mongolia shall approve the procedure for issuance, holding and keeping of national foreign passports.

Article 24. Certificate of Residence

24.1. The State Center for Civil Registration and Information shall provide immigrants and stateless persons with a certificate of residence in Mongolia according to permission to reside in Mongolia granted by the competent organization of Mongolia.

Article 25. Temporary and Permanent Movement of Citizens

25.1. Movement of citizens from the administrative unit of their permanent residence to another for more than 180 days shall be called permanent movement; residing for 180 days or less shall be called temporary movement.

Article 26. Registration of Movement

26.1. Aimag and capital city Governors' offices shall coordinate, register and monitor movements of citizens from one Aimag to another and from Aimag to capital city.

26.2. Soum and Duureg Governors' offices shall coordinate, register and monitor movements of citizens within Aimag and capital city.

26.3. Movement of citizens shall be registered on the basis of the following documents:

26.3.1. ID;

26.3.2. birth certificate in case a citizen of Mongolia is under 16 years of age;

26.3.3. in case of a citizen of Mongolia residing abroad- ordinary foreign passport;

26.3.4. in case of persons released from prisons - a certification issued by organs executing court decisions;

26.3.5. other documents certifying citizen's identity;

26.3.6. passport, civil identity card or documents similar thereto issued by the competent organization of the foreign country concerned in case of a foreign citizen;

26.3.7. in case of servicemen or police officers- decision on appointment by relevant organ;

26.3.8. certification about removal from the population register of the Soum, Duureg or Horoo of the place of previous residence.

26.4. When residing in any administrative unit for more than 180 days citizens shall have their domicile included in their IDs by relevant Soum or Duureg Governors' office within 10 days.

26.5. Immigrants or stateless persons permanently residing on the territory of Mongolia in case of moving on the territory of Mongolia shall follow the procedure provided for in Article 36 of this Law.

26.6. The Government of Mongolia shall approve the procedure for registration and monitoring of movement of citizens in the territory of Mongolia.

Article 27. Registration of Emigrants

27.1. The body indicated in para. 10, Article 6 of the Law on Travel Abroad on Private and Emigration of Citizens of Mongolia shall keep the unified register of emigrants.

CHAPTER FOUR

CIVIL REGISTRATION SYSTEM

Article 28. Registration Numbers of Citizens of Mongolia

28.1. Every citizen of Mongolia shall have a registration number.

28.2. Registration number shall be written in ID or its substitutes, ordinary foreign passport, certificate of marital status, savings, insurance books, driving license.

Article 29. Civil Registration and Information Fund

29.1. Civil registration and information fund shall include data on the following :

- 29.1.1. all citizens of Mongolia;
- 29.1.2. births;
- 29.1.3. marriages and restorations of marriages;
- 29.1.4. divorces;
- 29.1.5. changes of family names, father's names and given names;
- 29.1.6. identifications of fathers;
- 29.1.7. adoptions;
- 29.1.8. deaths;
- 29.1.9. obtained and rendered invalid IDs;
- 29.1.10. obtained and rendered invalid ordinary foreign passports;
- 29.1.11. coming and transferring persons;
- 29.1.12. cessation and acquisition of Mongolian citizenship;
- 29.1.13. foreign citizens and stateless persons residing in Mongolia;
- 29.1.14. foreign citizens employed under labour contracts in

Mongolia.

29.2. The State Center for Civil Registration and Information shall keep civil registration and information fund indicated in 29.1. of this law (hereinafter referred to as "CRI fund").

29.3. Civil registration and information fund shall be fully protected from losses and damages.

29.5. A competent official may maintain civil registration and information fund at the permission obtained in prescribed procedure from the State Center for Civil Registration and Information.

29.6. Organs and institutions charged with duties of using CRI fund in line with their official business shall use the information pertaining to them only.

29.7. If the necessity to use other information arises, a permission of the State Center for Civil Registration and Information shall be obtained.

29.8. Organs and institutions using information stored in the fund shall have the duty to preserve privacy related to citizens and to entire information.

29.9. One copy of the fund documents shall be kept at civil documents archive, and another copy- at Aimag or capital city civil documents archive.

29.10. Use of fund information against its designation and copying them shall be prohibited.

29.11. CRI fund shall be in stateownership.

Article 30. Amendments to Information Kept at CRI Fund

30.1. The State Center for Civil Registration and Information and Civil Registration and Information offices under Aimag Governors' offices may make amendments to the information kept at CRI fund on the basis of amendments made to civil registers.

CHAPTER FIVE

AMENDMENTS TO CIVIL REGISTERS AND ISSUE OF CIVIL DOCUMENTS ANEW

Article 31. Amendments to Civil Registers

31.1. Civil registration officers shall make amendments to civil registers on the following grounds:

31.1.1. registration of adoption;

31.1.2. registration of identification of father;

31.1.3. registration of change of family name, father's name or of given name;

31.1.4. court decision;

31.1.5. a police document identifying a corpse found.

31.2. If an information has been entered into civil register with writing errors or incompletely, a competent officer may make amendments to the register on the basis of conclusion by the Soum or Duureg Governor.

31.3. Civil registration officers shall issue civil documents anew on the basis of amendments made to civil registers.

Article 32. Reissue of Civil Documents

32.1. The office of Soum or Duureg Governor that has made the original entry into the civil register or the one at the place of the respective citizen's residence shall reissue civil documents to citizens by their applications made in person; in case of minors' birth certificates -by their parents, guardians, or guarding institutions' applications; in case of death certificates- by applications of respective citizens.

32.2. Documents shall be issued a new in the following circumstances:

32.2.1. in case of loss of a document- on the basis of certification or advertisement of relevant organs;

32.2.2. a document may not serve as an official one due to valid reasons (is torn off, becomes illegible);

32.2.3. rendering of a court decision in accordance with Article 151 of the Code of Civil Procedure.

32.3. Soum and Duureg Governor's offices shall not issue anew child's

birth certificates to the persons deprived of the right to be parents, marriage certificates to the divorced persons and to those whose marriage is declared void.

32.4. Soum and Duureg Governor's offices may give certifications about registration of birth or marriage upon application by the persons listed in 32.3 of this law.

Article 33. Amendments to Household Registers

33.1. Bag or Horoo Governors may amend household registers on the basis of certificates or certifications given by civil registration officers.

CHAPTER SIX

RESTORATION OF ENTRIES IN CIVIL REGISTERS AND RENDERING ENTRIES INVALID

Article 34. Restoration of Entries in Civil Registers

34.1. Civil registration officers shall restore entries in civil registers on the basis of decisions by court or the Soum or Duureg Governors.

34.2. Citizens shall file applications to determine events of legal importance to the court on the basis of document from Soum or Duureg Governor's office about non-existence of initial and restored entries in civil registers.

34.3. Civil registration officers shall issue ID and civil registration certificates and certifications.

Article 35. Rendering Entries in Civil Registers Invalid

35.1. Civil registration officers shall render entries in civil registers invalid on the basis of decision by court or Soum or Duureg Governor to render entries in civil registers invalid.

CHAPTER SEVEN

REGISTRATION OF FOREIGN CITIZENS

Article 36. Registration of Foreign Citizens

36.1. Foreign citizens arriving in Mongolia, except those who arrived at the invitation of State organizations or self-governing bodies of administrative and territorial units shall be registered by host citizens or legal persons at the State Center for Civil Registration and Information in Capital City, or Civil Registration and Information offices of Governors of Aimags in local areas within 10 days of their arrival.

36.2. Foreign citizens and members of their families arriving in Mongolia to work at foreign Diplomatic or Consular missions, representatives offices of the UN and its specialized agencies and foreign press offices shall be registered at the Central State Administrative Body in charge of external relations within 10 days of their arrival.

36.3. Foreign citizens arriving in Mongolia to work at companies with foreign investment officially authorized in Mongolia, foreign companies, representatives offices of foreign non-governmental and international

organizations according to the permission granted by the competent organization shall be registered at the State Center for Civil Registration and Information in Capital City or Civil Registration and Information offices of Governors of Aimags in local areas within 10 days of their arrival.

36.4. Procedure of registration and information of foreign citizens, immigrants or stateless persons shall be established by the Government.

36.5. If not provided otherwise in the Law, immigrants residing on the territory of this country and moving to other administrative units shall cancel their registration at the Civil Registration and Information offices of the Governor of Aimag where they were residing and register at the Civil Registration and Information offices of the Governor of Aimag where they arrive within 7 days of their arrival, and records shall be entered in their certificate of residence.

36.6. Immigrants or stateless persons residing on the territory of Mongolia shall inform the Civil Registration and Information office of the Governor of Aimag where they reside of changes in their family status and job within 7 days of the change.

36.7. Residents, immigrants or stateless persons residing in Mongolia for official or private purposes with long-term residence status and who are travelling on private purpose from their place of permanent residence to another administrative and territorial units for the period of more than 7 days shall be registered at the Civil Registration and Information office of the Governor of the visited Aimag.

36.8. The State Center for Civil Registration and Information shall register foreign citizens who are granted long-term residence status for private purposes, and shall enter residence records in their passports.

36.9. The Frontier Authority and the State Administrative Body in charge of the matter respectively shall organize the registration of and shall control the movement of foreign citizens entering, exiting and transiting Mongolia and shall inform the relevant organizations.

36.10. The relevant State Administrative Bodies shall submit to the Council in charge of foreign citizens all information related to foreign citizens within established period.

36.11. The State Center for Civil Registration and Information shall monthly receive information on an established form from the state frontier protection organization on foreign citizens entering, exiting and transiting Mongolia, and shall control the movement of foreign citizens.

36.12. The Central Police Department shall inform the relevant organizations of those foreign citizens who offended the law, sentenced or suspected of offences, were deported from Mongolia and those who were declared as Persona Non Grata or as wanted by the competent international organization.

CHAPTER EIGHT

MISCELLANEOUS PROVISIONS

Article 37. Archive Documents

37.1. The basic documents of the Central Archive of Civil Documents

shall include register books of births, adoptions, marriages, divorces, restorations of marriages, identifications of fathers, changes of family names, father's names and given names, deaths, changes of addresses and issued registration numbers.

37.2. Archives law shall regulate relations on keeping, protection, restoration and use of documents at the Central Archive of Civil Documents.

Article 38. Control over Implementation of Civil Registration Legislation

38.1. The State Center for Civil Registration and Information within the scope of its powers shall exercise control over implementation by citizens, institutions and organizations in the territory of Mongolia of civil registration legislation and rules and procedures approved in conformity with therewith.

38.2. State general officer, state senior officers and state officers shall serve at the Center for Civil Registration and Information; and state senior officers and state officers shall serve in Aimags, Soums and Duuregs respectively.

38.3. The Head of the State Center for Civil Registration and Information shall be the State general officer, in Aimags civil registration employees shall be state senior officers.

38.4. The Government shall grant powers of State general officer of civil registration; the member of Government in charge of justice matters shall grant powers of state senior officers and state officers respectively.

38.5. State officers mentioned in 38.2 of this law shall have powers to impose administrative penalties onto persons who violate civil registration legislation.

38.6. State officers shall use certificates, with personal numbers, badges, and printed fine forms of which designs shall be approved by the Government.

Article 39. Liability for Violation of Civil Registration Legislation

39.1. A civil registration officer shall, in accordance with legislation, compensate the damages incurred if as a result of his or her unlawful action the rights of Mongolian or foreign citizens, or stateless persons were harmed.

39.2. Mongolian citizens, foreign citizens and stateless persons who violated the civil registration legislation shall be liable in accordance with legislation.

Article 40. Resolution of Disputes

40.1. Disputes related to civil registration matters shall be resolved by court.