

# **THE MONGOLIAN LAW ON SPECIAL PROTECTED AREAS**

November 15, 1994

(Excerpts)

## **CHAPTER SEVEN**

### **LAND USE, RESEARCH, AND INVESTIGATION ACTIVITIES IN SPECIAL PROTECTED AREAS**

#### **Article 33. Land Use in Special Protected Areas**

2. Foreign legal entities, international organizations, foreign citizens, stateless persons and business entities with foreign investment are prohibited from using land in Special Protected Areas.

3. The provision set out in the para. 2 of this Article shall not apply to the activities of foreign and international organizations conducted in accordance with their project in the appropriate zones of Special Protected Areas within the framework allowed by this Law.

## **LAW OF MONGOLIA ON ADVOCACY**

December 9, 1994

(Excerpts)

## **CHAPTER TWO**

### **ADVOCATES; GRANT OF PERMISSION TO CONDUCT ADVOCACY ACTIVITIES; REGISTRATION OF ADVOCATES**

#### **Article 7. Advocates**

3. Unless otherwise provided in legislation, a foreign citizen or a stateless person who is permitted to conduct advocacy activities may be engaged in advocacy activities on the territory of Mongolia in accordance with the established rules.

## **LAW OF MONGOLIA ON CIVIL SERVICE**

December 30, 1994

(Excerpts)

## **CHAPTER FOUR**

### **REQUIREMENTS AND REGULATIONS OF EMPLOYMENT FOR PUBLIC ADMINISTRATION POST**

#### **Article 16. Requirements on Employment for Public Administration Post**

2. It shall be prohibited to employ for public administration post in the following cases:

- 4) in case of foreign citizens and stateless persons;

# **THE MONGOLIAN LAW ON ENVIRONMENTAL PROTECTION**

March 30, 1995

(Excerpts)

## **CHAPTER ONE**

### **GENERAL PROVISIONS**

#### **Article 6. Natural Resource Ownership**

2. Unless otherwise specified by law, citizens, business entities, organizations, foreign citizens and legal entities may use natural resources upon payment and collection of relevant fees pursuant to contract, special permit, or license.

# **THE MONGOLIAN LAW ON NATURAL PLANTS**

April 11, 1995

(Excerpts)

## **CHAPTER THREE**

### **PLANT USE**

#### **Article 17. Plant Export and Plant Collection by Foreign Citizens**

1. A license to export plants shall be issued by the Central State Administrative Body.

2. Foreign citizens are prohibited from collecting very rare and rare plants.

# **LAW OF MONGOLIA ON DECISION OF APPLICATIONS AND COMPLAINTS SUBMITTED BY CITIZENS TO STATE ORGANIZATIONS AND OFFICIALS**

April 17, 1995

(Excerpts)

## **CHAPTER ONE**

### **GENERAL PROVISIONS**

#### **Article 5. Right to Submit Applications and Complaints**

2. If legislation and/or international treaties of Mongolia do not provide otherwise, foreign citizens and stateless persons residing on the territory of Mongolia shall have the same rights as Mongolian citizens in respect to submitting applications and complaints.

# **LAW ON STATE SECRETS**

April 18, 1995

(Excerpts)

## **CHAPTER THREE**

### **PROTECTION OF AND RESPONSIBILITY FOR STATE SECRETS**

#### **Article 17. Special features of legal status of employees in charge of secrets**

Employees in charge of secrets shall have legal status with the following special features:

- 1) shall obtain permission of relevant bodies in case of travel abroad on private;
- 2) shall inform the organ he/she is employed at in case of establishing unofficial relations with foreign citizens or foreign organizations;

## **LAW ON PERSONAL PRIVACY**

April 21, 1995

(Excerpts)

### **CHAPTER ONE**

#### **GENERAL PROVISIONS**

##### **Article 2. Definition of Personal Privacy**

Information, documents and objects made confidential by citizens of Mongolia, foreign citizens or stateless persons in accordance with legislation of Mongolia divulging of which may obviously cause damage to legitimate interests, reputation or dignity of the respective person shall be called personal privacy.

## **THE MONGOLIAN LAW ON NATURAL PLANT USE FEES**

May 19, 1995

(Excerpts)

##### **Article 3. Fee Payers**

1. Citizens of Mongolia, foreign citizens, stateless persons (hereinafter referred to as "citizens"), business entities, and organizations using plants for any purpose shall be fee payers.

## **THE MONGOLIA LAW ON FEES FOR HARVEST OF FOREST TIMBER AND FUELWOOD**

May 19, 1995

(Excerpts)

##### **Article 3. Fee Payers and Their Registration**

1. Citizens of Mongolia, foreign citizens, stateless persons (hereinafter referred to as "citizens"), business entities, and organizations cutting trees for any purpose from the forest reserve which is the State property of Mongolia shall be fee payers.

## **THE MONGOLIAN LAW ON WATER AND MINERAL WATER USE FEES**

May 22, 1995

(Excerpts)

### **Article 3. Fee Payers and Their Registration**

1. Citizens of Mongolia, foreign citizens, stateless persons (hereinafter referred to as "citizen"), business entities, and organizations using water, mineral waters and/or riparian zones in Mongolia for any purposes shall be fee payers.

## **THE MONGOLIAN LAW ON HUNTING RESERVE USE PAYMENTS, AND ON HUNTING AND TRAPPING AUTHORIZATION FEES**

May 22, 1995

(Excerpts)

### **Article 3. Individuals Responsible for Payments and Fees and Their Registration**

1. The following citizens, business entities and organizations shall be responsible for payments and fees:
  - 3/ foreign citizens who hunt or trap wild animals pursuant to special authorization.
2. The following citizens shall be responsible for fees:
  - 2/ foreign citizens temporarily or permanently residing in Mongolia who fish for household purposes;

### **Article 4. Assessment Indicators for Payments and Fees**

1. Payments shall be assessed pursuant to the following indicators:
  - 4/ payment according to the current foreign market price for trophies or according to the standard price established by the competent organization for animals hunted by foreign citizens and for live animals exported abroad for any purpose.

### **Article 5. Payment and Fee Amounts**

1. The minimum and maximum payments for hunting reserve use shall be determined as follows:
  - 5/ the payment for animals hunted by foreign citizens shall be equal to 60 to 70% of the animal's value on the current foreign market or 60 to 70% of the standard price established by the competent organization;

## **FOREIGN TRADE ARBITRATION LAW**

October 26, 1995

(Excerpts)

### **CHAPTER ONE**

### **GENERAL PROVISIONS**

### **Article 6. Disputes pertaining to arbitration**

The Arbitration Court shall make determinations in respect of the following disputes in respect of which an arbitration clause or agreement applies:

- 1) disputes arising from foreign business contracts and transactions between citizens and/or legal entities of Mongolia and foreign citizens and/or legal entities, and disputes arising prior to the formation of such contracts;

### **Article 9. Application for arbitration and recourse to arbitration**

1. An arbitration case (hereinafter referred to as "a case") shall be initiated an application for arbitration submitted by a Mongolian or foreign citizen, business entity or organization or an international organization, in accordance with this law.

## **LAW ON DEPOSITS, LOANS AND BANKING TRANSACTIONS**

October 31, 1995

(Excerpts)

### **CHAPTER TWO**

#### **DEPOSITS**

### **Article 3. Deposits**

1. A deposit of funds (hereinafter referred to as a "deposit") means Mongolian and foreign currency deposited with a bank (hereinafter referred to as "repositories") by citizens and legal persons of Mongolia and foreign countries, and by stateless persons (hereinafter referred to as "depositors") on deposit agreement grounds.

## **LAW OF MONGOLIA ON TELECOMMUNICATION**

November 16, 1995

(Excerpts)

### **CHAPTER TWO**

#### **STATE REGULATION OF TELECOMMUNICATION OPERATIONS, SERVICES AND MANUFACTURE**

### **Article 8. Licenses**

2. If the requirements provided by legislation are satisfied, a license shall be issued to:

- 2) a business entity with foreign investment incorporated under the laws of Mongolia

3. A license to a foreign legal person for carrying out telecommunication operations, services and manufacture shall be issued by a Central State Administrative Body in charge of telecommunication with the permission of the Government.

**LAW OF MONGOLIA  
ON VETERANS AND BENEFITS AND SERVICES PROVIDED**

December 18, 1995  
(Excerpts)

**CHAPTER ONE**

**GENERAL PROVISIONS**

**Article 3. Definition of Veterans**

Men of ages 60 and over and women of ages 55 and over, who are citizens of Mongolia, foreign citizens or stateless persons, permanently residing in Mongolia on a legal basis, and who receive pensions from the State, shall be regarded as veterans.

**LAW OF MONGOLIA  
ON SOCIAL SECURITY OF DISABLED PERSONS  
AND BENEFITS AND SERVICES PROVIDED**

December 19, 1995  
(Excerpts)

**CHAPTER ONE**

**GENERAL PROVISIONS**

**Article 3. Definition of Disabled Person**

Citizens of Mongolia, foreign citizens and stateless persons lawfully residing in Mongolia whose loss of the physical fitness, mental capabilities due to heritage and non-heritage reasons, born abnormalities, disease, after-injection complication, accident and resulting inability to work in normal conditions, speaking or organ disability, mental deficiency, psychiatric changes have been determined shall be called the disabled.

**LAW ON CULTURE**

April 11, 1996  
(Excerpts)

**CHAPTER TWO**

**RIGHTS AND DUTIES OF CITIZEN RELATED TO CULTURE**

**Article 4. Rights of Citizens Related to Culture**

1. Citizens of Mongolia shall have the following rights related to culture:
  - 3) to conduct activities related to culture other than those prohibited by legislation of Mongolia and of respective countries abroad.

## **LAW OF MONGOLIA ON PROTECTION OF RIGHTS OF CHILDREN**

May 7, 1996  
(Excerpts)

### **CHAPTER TWO**

#### **RIGHTS AND HONOURABLE DUTIES OF CHILDREN**

##### **Article 5. Right of Children to Life**

1. A child shall, upon his/her birth, have the right to have a name and to be a citizen of Mongolia. Matters related to acquisition of foreign citizenship by a child, or Mongolian citizenship by a child of foreign citizens or stateless persons shall be regulated by legislation concerned and international treaties.

5. Children shall have the right to emigrate, refuge, reside permanently abroad and to return to their home country together with their parents or guardians. Place of residence of children can be changed without their own or their parents or guardians' consent only on grounds and in procedures provided in legislation.

##### **Article 7. Right of Children to Protection**

4. Engaging children into crimes, infringements, violence, gambling, prostitution, any conflicts between adults, heavy drinking, smoking, drug abuse; offending, humiliating, slandering them, using force against them, stealing, taking as hostages, changing on purpose, leaving, torturing, using in espionage, sabotage; marrying by force of minors; adopting unlawfully, detaining, taking abroad or bringing from abroad shall be prohibited.

## **LAW OF MONGOLIA ON BANKING ACTIVITIES**

September 3, 1996  
(Excerpts)

### **CHAPTER TWO**

#### **BANKING ACTIVITIES**

##### **Article 8. Deposits**

1. A bank may receive money by way of deposits from citizens of Mongolia or foreign countries, or stateless persons (hereinafter referred to as "citizens") or any legal persons and may pay interest on the basis of agreement with such citizens or persons.

## **LAW OF MONGOLIA ON EXECUTION OF COURT DECISIONS.**

November 15, 1996  
(Excerpts)

### **CHAPTER TWO**

## EXECUTION OF COURT DECISIONS RELATED TO PROPERTY IN CRIMINAL AND CIVIL CASES

### Article 40. Rules Transferring Payment

3. It shall be transferred from account of organs executing court decisions through banks in way of remittances abroad to persons entitled to receive payment residing (located) abroad. Minister of Justice shall approve jointly with the Bank of Mongolia the respective procedure.

## CHAPTER FOUR

## PRISONS, CONDITIONS OF AND RULES FOR SERVING IMPRISONMENT

### Article 78. Rights and Duties of Convicts

1. Convicts shall have the following rights:
  - 1) to receive information regarding conditions of and rules for serving the punishment imposed by court, own rights and duties and limitation of rights;
  - 2) to file petitions and complaints on matters related to himself/herself to any official;
  - 3) to receive advocate's and legal assistance;
  - 4) to create works in fields of science, literature and art at own expenses;
  - 5) to be provided with food containing calories of determined amount, as well as clothing and premises, to receive medical aid;
  - 6) in accordance with this law to have long visits by relatives and short with others, to receive and send correspondence, to receive and to send money orders in own name;
  - 7) to subscribe for press, to use libraries at the prison.
2. Convicts shall have the following duties:
  - 1) to observe legislation applicable in prison, to obey to lawful demands of prison employees;
  - 2) to perform jobs instructed to him/her by competent officials, to strictly observe labour safety rules;
  - 3) to participate in labour and general training conducted in prescribed procedures;
  - 4) to protect own health, to obey to doctors' demands and advises, to pay for relevant expenses in case of pretending ill or deliberately causing himself/herself bodily injuries or getting ill on purpose.
3. Rights and duties listed in this Article shall apply to convicts-foreign citizens. Convicts-foreign citizens shall communicate with diplomatic representative offices and consulates of their countries through the prison management.



# **LAW OF MONGOLIA ON NON-GOVERNMENTAL ORGANIZATIONS**

January 31, 1997

(Excerpts)

## **CHAPTER ONE**

### **GENERAL PROVISIONS**

#### **Article 5. The rights of individuals to establish and participate in non-governmental organizations**

6. Foreign citizens and stateless persons legitimately residing permanently in Mongolia may establish and join non-governmental organizations in accordance with the procedure specified in this law if laws and international treaties of Mongolia do not provide otherwise.

# **LAW OF MONGOLIA ON LAND RENT**

April 24, 1997

(Excerpts)

#### **Article 3. Payer of Land Rent**

Mongolian citizens, business entities, organizations possessing or using land, and diplomatic or consular missions of foreign countries, representative offices of international organizations, foreign citizens and legal persons, stateless persons using land on leasehold based on a contract concluded in accordance with conditions and procedures provided in the Land Law shall be payer of Land rent.

# **MINERALS LAW OF MONGOLIA**

June 5, 1997

(Excerpts)

## **CHAPTER TWO**

### **LEGAL BASIS FOR EXPLORATION AND USE OF MINERALS**

#### **Article 10. Persons Entitled to Hold License**

1. Citizens of Mongolia, foreign citizens and stateless persons shall have a right to hold a license to explore minerals (hereinafter referred to as "exploration license").

2. Legal persons established and operating in accordance with legislation of Mongolia shall have a right to hold license to mine minerals.

3. One license shall be issued in one person's name only.

#### **Article 14. Granting Exploration License**

2. A person wishing to obtain a license shall file an application in compliance with the form approved by the Geology and Mining Cadastre Office and submit it thereto.

The following documents shall be attached to the application:

- 1) a notification specifying name, official address, telephone

(facsimile) number of the applicant, and if the applicant is a foreign citizen or legal person, name, address and telephone (facsimile) number of his/her attorney;

2) in case of an application by an individual, copy of applicant's passport, and copy of the visa if required;

3) in case of an application by a business entity, a certificate certifying right to engage in business activities under the laws of the country of establishment;

Where the certificate is in a foreign language its translation into the Mongolian language shall be attached.

4) a field layout made in accordance with provisions of Article 13. The layout shall indicate the territory of the Aimag, Soum or Duureg it is to locate in;

5) receipt of payment of service fees approved by themember of Government in charge of mining matters.

## **INSURANCE LAW**

December 5, 1997

(Excerpts)

### **CHAPTER ONE**

#### **GENERAL PROVISIONS**

##### **Article 4. Definitions**

4.1. For the purposes of this law:

4.1.18. "double insurance" shall mean form of insurance where insurer insures in addition, all or some of obligations before insured to another domestic or foreign insurer.

### **CHAPTER FIVE**

#### **MISCELLANEOUS**

##### **Article 20. Insurance of Foreign Organizations and Foreign Citizens**

20.1. Unless otherwise provided in legislation of Mongolia, foreign organizations, foreign citizens and stateless persons shall have the right to be insured in the territory of Mongolia on the same conditions as legal persons and citizens of Mongolia.

##### **Article 21. International Cooperation in Insurance**

21.1. Insurance companies shall have the right to enter into insurance agreements with foreign organizations and foreign citizens, join international insurance organizations and open own branches abroad.

## **CRIME PREVENTION LAW**

December 5, 1997  
(Excerpts)

### **CHAPTER THREE**

#### **FORMS AND METHODS OF CRIME PREVENTION**

##### **Article 15. Administrative Control over Persons Released after Serving Imprisonment**

###### **15.4. Duties of persons under administrative control:**

15.4.5. to report to the police department in case of movement  
from the permanent residence for period over 14 days and travel abroad.

## **LAW ON ARCHIVES**

January 2, 1998  
(Excerpts)

### **CHAPTER ONE**

#### **GENERAL PROVISIONS**

##### **Article 6. The fund of National archives and its composition**

###### **6.4. The fund of State archives shall consist of the following documents:**

6.4.7. archive documents that are created and bought by the state  
by its own capital and that are presented for preservation by domestic  
and foreign organizations and citizens;

###### **6.5. The fund of non-State archives shall consist of the following documents:**

6.5.4. archive documents of business entities and organizations  
with foreign investments;

## **ROADS LAW OF MONGOLIA**

January 2, 1998  
(Excerpts)

### **CHAPTER FIVE**

#### **ROAD FUND**

##### **Article 21. Road Utilization Fee**

21.2. Unless otherwise provided by international treaties, foreign citizens  
and legal persons transporting on the territory of Mongolia shall pay road  
utilization fees according to the procedure approved by the Government.

## **LAW OF MONGOLIA ON THE REHABILITATION OF REPRESSED PERSONS FOR FALSE POLITICAL CASES ON PAYMENT OF COMPENSATION TO THEM**

January 2, 1998  
(Excerpts)

## **CHAPTER ONE**

### **GENERAL PROVISIONS**

#### **Article 4. Application Scope of the Law**

4.1. This law shall be applicable to the citizens of Mongolia, foreign citizens and stateless persons who had suffered a political repression on the territory of Mongolia during the period starting from the year of 1922 until the date, when the "Law on the rules of eliminating losses and damages caused to citizens due to infringing and violate activities of laws on courts, public prosecutors, investigating offices and case recording and filing bodies" came into force.

### **LAW ON TECHNOLOGY TRANSFER**

May 7, 1998  
(Excerpts)

## **CHAPTER THREE**

### **TECHNOLOGY TRANSFER**

#### **Article 11. Rights of Participants of Technology Transfer Activities**

11.1. Participants of technology transfer activities shall enjoy following rights:

11.1.4. to cooperate with domestic and foreign citizens and international organizations, to exchange experience, to organize meetings, seminars and conferences;

## **CHAPTER FOUR**

### **OTHER PROVISIONS**

#### **Article 16. Dispute settlement**

Court of Mongolia shall settle disputes related to technology transfer between citizens of Mongolia and foreign business entities, organizations and citizens unless otherwise provided by contract concluded by parties or international agreement which Mongolia is a party.

### **SCIENCE AND TECHNOLOGY LAW**

May 7, 1998  
(Excerpts)

## **CHAPTER THREE**

### **PARTICIPANTS IN SCIENCE AND TECHNOLOGY ACTIVITIES, THEIR RIGHTS AND DUTIES**

## **Article 10. Participants in Science and Technology Activities**

10.1. The following persons shall participate in science and technology activities:

10.1.4. citizens of Mongolia, foreign citizens and stateless persons.

## **CHAPTER FOUR**

### **FINANCING OF SCIENCE AND TECHNOLOGY ACTIVITIES**

#### **Article 17. Sources of Financing of Science and Technology Activities**

Sources of financing of science and technology activities shall be funds of the treasury, local budgets, funds, donations and aid provided for scientific and technological activities from citizens of Mongolia, foreign citizens and stateless persons.

#### **Article 19. Creation of the Funds**

19.1. Funds shall be created from the following sources:

19.1.4. donations and aid from domestic, foreign and international organizations, business entities, citizens of Mongolia and foreign citizens;

#### **Article 24. Rights and Duties of Contractors of Science and Technology Activities**

24.5. Contractors shall report to the Central State Administrative Body in charge of science and technology matters the subjects of scientific, experimental or design works performed at expenses of Mongolian and foreign business entities, organizations and citizens.

## **CHAPTER FIVE**

### **MISCELLANEOUS**

#### **Article 25. Science and Technology Cooperation**

Joint projects with participation of foreign and international organizations may be implemented and organizations founded in the territory of Mongolia.

## **HEALTH LAW OF MONGOLIA**

May 7, 1998

(Excerpts)

## **CHAPTER TWO**

### **HEALTH MANAGEMENT, STRUCTURE AND FINANCING OF HEALTH ORGANIZATION**

#### **Article 17. Accrediting Health Organizations and Licensing Medical Professionals to Conduct Medical Treatment, Nursing and Pharmaceutical Activity**

17.8. It may be allowed to grant a license to a foreign citizen or a stateless

person, who possesses a medical degree and who has passed professional exams, to carry out his/her own medical treatment, nursing or pharmaceutical activity in Mongolia.

17.9. A foreign citizen or a stateless person (medical professional) who has obtained the special license specified in this Law and is working, according to an international treaty of Mongolia or inter-hospital contracts, for an accredited health organization which is recorded in the state registry, may carry out medical treatment and nursing activity.

17.10. A health organization where a foreign citizen or a stateless person (medical professional) works, as provided for in para. 17.9 of this Law, shall have to ensure for him/her a Mongolian language environment, and the organization and the medical professional shall be liable for harms caused in connection with treatment and services.

## **CHAPTER FOUR**

### **HEALTH SERVICES AND CONTROL**

#### **Article 30. Immunization**

30.1. In order to prevent infectious diseases, citizens of Mongolia, foreign citizens and stateless persons residing in the country permanently or temporarily, shall be covered by immunization.

#### **Article 45. Medical Certification**

45.1. A physician and/or a health organization shall give a certification paper in the following cases:

45.1.1. when citizens of Mongolia, foreign citizens or stateless persons become sick, meet with an accident, receive injury, or in case of their death, pregnancy, child delivery, transplantation, quarantine, or taking care of sick.

## **MOBILIZATION LAW**

May 15, 1998

(Excerpts)

## **CHAPTER FOUR**

### **CONDUCTING MOBILIZATION**

#### **Article 23. Mobilization of the Mobilization Reserve Staff**

23.7. The Central State Administrative Body in charge of defense matters jointly with the Central State Administrative Body in charge of foreign relations shall conduct mobilization of men liable for call-up residing abroad.

## **STATE OF WAR LAW**

May 21, 1998

(Excerpts)

## **CHAPTER SIX**

### **Article 25. Volunteer corps**

25.1. Volunteer corps is a militarized organization formed on request of the citizens not included in mobilization and military reserves or of citizens remaining in home front or by decision of the Aimag, capital city defense offices. Foreign citizens may join volunteer corps.

## **CIVIL AVIATION LAW**

January 21, 1999

(Excerpts)

## **CHAPTER SIX**

### **INTERNATIONAL FLIGHT**

#### **Article 30. Permission to Operate an International Flight and Insurance**

30.3. Foreign civil aviation organizations and citizens shall inform General Authority of Civil Aviation in advance identification marks of aircraft to operate international flight in the air space of Mongolia and other information related to the service.

## **LABOUR CODE OF MONGOLIA**

May 14, 1999

(Excerpts)

## **CHAPTER ONE**

### **GENERAL PROVISIONS**

#### **Article 4. Relations regulated by the Labour Code**

4.1. This law regulates contract of employment and other labour relations between the following parties:

4.1.1. labour relations between a citizen of Mongolia and domestic or foreign business entities or organizations conducting operations in the territory of Mongolia;

4.1.2. labour relations between a citizen of Mongolia and another citizen of Mongolia, foreign citizen or a stateless person;

4.1.3. labour relations between a domestic business entity, organization and foreign citizen or stateless person;

4.1.4. labour relations between foreign business entities, organizations, citizens, and stateless persons that are conducting operations in the territory of Mongolia, unless otherwise provided in international treaties to which Mongolia is a party.

4.2. If individuals have undertaken to contribute property or labour to an enterprise, and have not entered into an agreement with respect to labour relations

or have agreed to follow, this law, the relevant provisions of this law shall be applicable to such relations.

## **CHAPTER NINE**

### **EMPLOYMENT OF FOREIGN CITIZENS AND CITIZENS WORKING IN FOREIGN BUSINESS ENTITIES OR ORGANIZATIONS**

#### **Article 113. Employment of foreign citizens**

113.1. An employer may employ a foreign citizen pursuant to a contract of employment.

113.2. Regulations governing the employment of foreign citizens in Mongolia in accordance with this law and other applicable laws shall be adopted by the Government.

113.3. Articles 113.1 and 113.2 shall also apply to stateless persons.

#### **Article 114. Employment of citizens working for foreign business entities and organizations**

114.1. Foreign business entities and organizations conducting activities within the territory of Mongolia may employ Mongolian citizens.

114.2. In case of Article 114.1 of this Law is applicable, an employer shall make a contract of employment with an employee pursuant to this Law.

114.3. A foreign business entity or organization that employs an employee pursuant to an contract of employment shall inform the relevant authorized organization or officer responsible for labour matters about the employee's compensation and other similar income.

## **MARITIME LAW**

May 28, 1999  
(Excerpts)

## **CHAPTER FOUR**

### **VESSEL, ITS TEAM**

#### **Article 14. Vessel Team**

14.1. In the staff of vessel team, citizen of Mongolia or foreign citizen, stateless person who is high qualified in his/her profession, prepared and to correspond health requirements may be employed by contract in conformity with relevant international conventions.

## **LAW OF MONGOLIA ON FIRE SAFETY**

May 28, 1999  
(Excerpts)

## **CHAPTER THREE**



**RIGHTS AND DUTIES OF LOCAL ADMINISTRATIVE  
ORGANIZATIONS, BUSINESS ENTITIES; ORGANIZATIONS AND  
CITIZENS IN RESPECT OF FIRE SAFETY**

**Article 15. Rights and Duties of Citizens in Respect of Ensuring  
Fire Safety**

15.1. Citizens of Mongolia, foreign citizens and stateless persons shall have the following rights in respect of ensuring a fire safety:

15.1.1. to have their lives, health and property to be protected, and to personally participate in the process of determining the cause and conditions of fire;

15.1.2. to receive an accurate information related to fire;

15.1.3. to request competent organizations to impose a liability on offenders of legislation on fire safety;

15.2. Citizens of Mongolia, foreign citizens and stateless persons shall have the following duties in respect of ensuring a fire safety:

15.2.1. to observe legislation on fire safety;

15.2.2. to promptly inform a fire department in case of fire;

15.2.3. to provide every possible help in extinguishing fire, and in saving and protecting people's life, health and property;

15.2.4. to inform competent organizations on violations or failings in respect of fire.

**LAW OF MONGOLIA ON PERSONAL ACCOUNT  
OF RETIREMENT INSURANCE PREMIUM**

June 10, 1999

(Excerpts)

**Article 3. Procedures and Conditions of Opening Account**

3.1. Citizens of Mongolia, and foreign citizens and stateless persons permanently residing in Mongolia, born on January 1, 1961, or thereafter, and covered by retirement insurance pursuant to procedures and conditions specified in legislation on social insurance, shall be eligible to open a personal account.

**FAMILY LAW OF MONGOLIA**

June 11, 1999

(Excerpts)

**CHAPTER ONE**

**GENERAL PROVISIONS**

**Article 4. The Principles of Marriage and Family Relations**

4.6. If an international treaty to which Mongolia is a party does not provide otherwise than this law, then the foreign permanent residents and stateless persons in Mongolia may exercise same rights and obligations in family relations as

Mongolian citizens.

## CHAPTER TWO

### BASIS OF THE MARRIAGE RELATIONSHIP, FORMAL REQUIREMENTS, PROCEDURES AND DIVORCE

#### Article 6. Formal Requirements

6.1. Mongolian male and female citizens, aged 18 and over, or a Mongolian citizen with a foreign citizen or a stateless person can marry on ground of mutual consents in Mongolia unless it is contradict to 9.1 of this law.

6.3. If an international treaty to which Mongolia is a party does not provide otherwise than this law, then the foreign residents and stateless persons shall be bind by this law in marriage relations in Mongolia.

6.4. If Mongolian citizens married with Mongolian citizens, foreign citizens or stateless person in territory of other country in accordance to the country's legislation, the marriage shall be valid unless it is contradict to article 9 of this law.

6.6. If a Mongolian citizen marries with a Mongolian citizen, a foreign citizen or a stateless person in territory of other country, this law shall regulate the rights and obligations unless they have chosen otherwise.

#### Article 7. The Procedures to MSarry

7.1. Intending spouses have to be registered to Citizens' family registration office at presence of witnesses.

7.2. The rights and obligations of the spouses shall start from the date of registration.

7.3. Marriage registration shall be executed in accordance with procedures provided respective laws.

#### Article 8. Health Examination for Intending Spouses

8.1. Applicants must file a certificate of health with medical institutions where they are residing.

8.2. An applicant shall be examined by the specialized hospital if any signs of venereal diseases, HIV, tuberculosis and mental diseases have been revealed.

8.3. The medical institution must introduce a result of the examination to applicants, advise on family planning and explain the consequences if the applicant suffers any of the diseases, provided in 8.2 of this law.

8.4. The result of a health examination of applicants shall be confidential.

#### Article 9. Impediments to Marriage

9.1. The following circumstances shall be contemplated as Impediments to marriage.

9.1.1. If the previous marriage is still in force;

9.1.2. If an applicant or applicants are under age, provided in 6.1 of this law;

9.1.3. If applicants are the immediate relatives;

9.1.4. If applicants are the guardian or the person in guardianship;

9.1.5. If the applicants are the adopter or the adopted one;

9.1.6. If an applicant or applicants suffer from chronic hereditary insanity.

9.2. If the non-age has been declared the right of full legal capacity in accordance with the Civil code, then 9.1.2 of this law shall not be applicable.

### **Article 11. End of Marriage**

11.1. It shall be considered as a terminated marriage upon the date of death of a spouse and of coming into force the decision of the court declared on his/her death.

11.2. If a marriage has been dissolved or considered invalid by judicial or administrative procedures, a marriage shall be terminated.

11.3. The procedure to register the marriage termination shall be regulated by legislation.

### **Article 12. The Procedure to Divorce**

12.3. If an international treaty to which Mongolia is a party does not provide otherwise than this law, divorce of foreign permanent residents and stateless persons shall be regulated with this law in Mongolia.

### **Article 14. The Judicial Procedure to Divorce**

14.1. The court shall decide on dissolution of a marriage on ground of suit from consented spouses, a spouse or guardians of a wife or husband, who is not full legal capacity person, except provided circumstances in article 13 of this law.

14.2. If it is necessary, the court have discretionary to put in abeyance the hearing till 3 months, all measures shall be taken to conciliate parties thereafter.

14.3. If there is no chance to conciliate parties, the court shall dissolve the marriage thereby.

14.4. If it has been upheld that there is real threat to lives of family members, welfare of children or it has occurred, the court shall dissolve the marriage without taking conciliating measures defined in 14.2. of this law.

14.5. During the dissolution process the spouses can agree on determination, whose custody to give children in, how to maintain the child or the spouse who lost capacity to earn for living, and how to share their common ownership property.

14.6. If spouses have not reached the agreement, defined in 14.5 of this law, the court have discretion to decide on whose custody to give children in, how to maintain them or a spouse who lost capacity to earn for living, and how to share their common owned property, considering children's age, parental prudence, economical circumstances and possibility, morality and whether any violence has occurred.

14.7. If a child is aged 7 or over, his opinion shall be considered in deciding custody matters.

14.8. The court shall determine shares of common ownership property for family members in accordance with the para. 3 of Article 98 of the Civil Code, after ascertaining the health of spouses, the interests of children, whether common owned property was used for undue purposes or hidden and the dissolution of

marriage was due to his/her wrongdoing.

14.9. Within three working days the court decision on dissolution of marriage shall be sent to Citizens' marital registration office, registered the actual marriage wherein.

14.10. Dissolution of marriage between Mongolian citizens, and a Mongolian citizen with a foreign citizen or a stateless person in abroad shall be valid, if it is not contradict to an international treaty to which Mongolia is a party, Mongolian legislation and this law.

14.11. The Mongolian citizens, who reside overseas, may dissolve their marriage by judicial or ministerial procedures in Mongolia.

## **CHAPTER FIVE**

### **RELATIONS BETWEEN PARENTS AND CHILDREN**

#### **Article 23. To establish parentage in judicial procedure**

23.3. If a child is a citizen of Mongolia, establishing parentage related to foreign citizens and stateless persons who are permanent residents in Mongolia shall be regulated by this law unless an international treaty to which Mongolia is a party does not provide otherwise than this law.

23.4. Established parentage in regards to Mongolian citizens, in accordance with law of other country, shall be considered valid unless it is contradict to this law.

23.5. If one of the parents of a child, who are residing overseas, is Mongolian citizen, he/she can apply for establishing parentage of a child through Mongolian diplomatic and council missions.

## **CHAPTER SEVEN**

### **CHILD ADOPTION**

#### **Article 54. Adoption of, to give for Adoption a Child**

54.1. A child shall be given for adoption in accordance with his/her interests.

54.2. A child may be given for adoption to foreign citizens according to the procedure provided under Article 58 of this law.

#### **Article 58. Adoption of Child of Mongolian Nationality by a Foreign Citizen**

58.1. A foreign citizen shall file an application for adopting a child of Mongolian nationality to the competent authority of Mongolia through the competent authority of his/her own country.

58.2. When a foreign citizen residing in Mongolia for not less than 6 months is adopting a child of Mongolian nationality, Article 58.1 of this Law shall not be applicable.

58.3. A prospective child adopter-foreign citizen shall file the following document in addition to permission required under Article 55.1, 55.3 of this law:

58.3.1. An application of the prospective child adopter /if has

husband/or wife then together/ and its official translation certified of a notary public;

58.3.2. A medical certification regarding whether adopter has tuberculoses, AIDS, or mental disease;

58.3.3. A copy of certificate of marriage of the applicants /if married/;

58.3.4. A certification regarding the place of permanent residence of the applicant by the relevant authority /including the certification t , a police department/;

58.3.5. A certification on the living and financial ability of the applicant by the relevant authority of a respective state;

58.3.6. A certification regarding the applicant by the Central State Administrative Body in charge of population matters;

58.4. An authority provided under Article 11 of Law on Legal Status of Foreign Citizens shall register the adoption of a child of Mongolian nationality by a foreign citizen.

58.5. When the application for adoption of child of Mongolian nationality who is residing in foreign country through the diplomatic and consular missions of Mongolia is decided according to this law, Article 58.1 shall not be applicable.

58.6. A Central State Administrative Body in charge of population matters shall maintain registry of a foreign citizen who have applied for adoption of a child of Mongolian nationality; and shall cooperate with other countries, their relevant authorities and international organizations on the issues of protecting children's rights and their interests.

58.7. A regulation for giving for a adoption a child to foreign citizen shall be approved jointly by the Government Cabinet members in charge of justice and health and social welfare matters.

58.8. A responsibility to introduce the child's motherland and parents shall be undertaken by the adoptive parents.

58.9. An adopted child shall exercise right to choose his/her own nationality according to the Citizenship Law of Mongolia.

58.10. This Article equally applicable to stateless persons.

### **Article 61. Nullification of Adoption**

61.1. The Court shall nullify the adoption on the suit filed by the natural parents, other interested persons, child rights and interest protection institutes and by the child who has reached age of 14 years in cases when the adopter has misused his/her parental rights, has cruel treatment of child, has filed false documents and obtained adoption decision by this, and when it is revealed that he/she is person provided in Article 57.2 of this law.

61.2. The court may nullify the adoption on other grounds if it is considered necessary.

### **Article 62. Results arising out of Nullification of Adoption**

62.1. The court shall decide the issue of returning back the child to his/her natural parents or guardian in a case the adoption has been nullified.

62.2. The court shall decide the issue of transferring the child to an orphanage if it is established that it is detrimental to the child's rights and interest to return back to the parents; or any other his/her legal representative is absent.

62.3. A suit may be filed in the court for obtaining expenses related to the transfer of the child to the orphanage and for obtaining a compensation for damages incurred from the adopter.

## CHAPTER EIGHT

### TO TAKE IN GUARDIANSHIP AND HOME IN ORDER TO BRING UP

#### Article 67. To take in Guardianship

67.1. The procedure to appoint the guardian:

67.1.1. The Governor of Duureg and Soum shall nominate the guardian on the basis of written application certified by the notary public of relatives and non relatives who have sufficient property;

67.1.2. If the guardian has not been found the child shall be transferred to the orphanage considering the age and health condition of the child;

67.1.3. If the guardian has not been located the disabled and the elderly shall be transferred to guardianship institution;

67.1.4. The person who has been considered incapable legal person or person with limited capability due to the mental defects shall be given to the mental hospital or other related institutions.

67.2. Any person and organizations undertake the duty to inform the Duureg and Soum Governor on the person, who in need of guardianship.

67.3. This law shall be applicable to Mongolian citizens in abroad, foreign citizens and stateless person in Mongolia.

67.4. If the guardian has been appointed to the Mongolian citizen in abroad in accordance with the law of that country shall be in force unless it is contradict to this law.

67.5. The guardianship shall be provided free of charge.

#### Article 68. The Persons who can not be the Guardian

68.1. it is prohibited to appoint the following person as a guardian:

68.1.1. person who have been excluded or limited the parental rights;

68.1.2. the person who is in guardianship;

68.1.3. the person who is permanently consumes alcoholic or toxic substances;

68.1.4. the person who is serving imprisonment or has served several times;

68.1.5. the person who returned the adopted child due to his/her fault.

# **LAW OF MONGOLIA ON EXECUTION OF DECISIONS TO DETAIN AND ARREST SUSPECTS AND ACCUSED**

July 1, 1999  
(Excerpts)

## **CHAPTER ONE**

### **GENERAL PROVISIONS**

#### **Article 5. Legal Status of Persons Detained or Arrested**

5.1. Persons detained or arrested (hereinafter referred to as "detainees") shall have all the rights, freedoms and duties of citizens of Mongolia except those restricted by this Law.

5.2. Foreign citizens or stateless persons detained or arrested on the territory of Mongolia shall have the same rights, freedoms and duties to those of citizens of Mongolia except the cases specifically provided for in the Constitution of Mongolia, the Law on Legal Status of Foreign Citizens, this Law and other laws and international treaties of Mongolia.

5.3. This law shall apply to the arrested and detainees irrespective of ethnic origin, language, race, age, social origin and status, property, occupation and post, religion, opinion and education.

#### **Article 19. Meeting with Advocates Relatives and Other Persons**

19.2. The arrested and detainees may be allowed by written permission of the official who rendered decision to detain or to arrest or his/her supervising officials to meet with their relatives or other persons.

19.3. Convicts- foreign citizens may meet with officials of diplomatic representative offices or consulates upon permission mentioned in 19.2 of this law through the detainment centers management.

## **COMPANY LAW OF MONGOLIA**

July 2, 1999  
(Excerpts)

### **CHAPTER THREE**

#### **ESTABLISHMENT OF COMPANY**

##### **Article 12. Founders of Company**

12.1. A citizen and a legal person of Mongolia, and if law provides so, a foreign citizen and a legal person and a stateless person may be founder of a company.

12.2. A citizen and a legal person, a foreign citizen and a legal person and a stateless person may hold shares issued by companies.

## **LAW ON INTELLIGENCE ORGANS**

July 8, 1999

(Excerpts)

### **CHAPTER FOUR**

#### **LEGAL STATUS OF EMPLOYEES OF INTELLIGENCE ORGANS**

##### **Article 19. Special Moral Requirements for Employees of Intelligence Organs**

19.2. Employees of intelligence organs shall be prohibited in addition to provisions of Civil Service Law and Law Against Corruption the following:

19.2.7. to travel abroad without permission of a competent official of an intelligence organ during his/her service and during 2 years from resignation or release from the service;

## **IMMUNIZATION LAW**

April 20, 2000

(Excerpts)

### **CHAPTER ONE**

#### **GENERAL PROVISIONS**

##### **Article 4. Scope of the Law**

4.2. Citizens of Mongolia, foreign citizens and stateless persons permanently or temporarily residing in the territory of Mongolia shall have rights and duties provided for in this law.

### **CHAPTER TWO**

#### **STATE IMMUNIZATION POLICY; RIGHTS AND DUTIES OF THE CITIZENS RELATED TO IMMUNIZATION**

##### **Article 6. Rights and Duties of the Citizens Related to Immunization**

6.2. Citizens shall have the following duties related to immunization:

6.2.4. in case of entering the countries for which certain preventive injections are due according to international medical or sanitary rules to have such injections given.

## **TRAVEL AND TOURISM LAW**

May 5, 2000

(Excerpts)

### **CHAPTER ONE**

#### **GENERAL PROVISIONS**



### **Article 3. Definitions**

3.1. For the purposes of this law:

3.1.5. "tourist" shall mean citizens of Mongolia, foreign citizens and stateless persons on travel or tour.

## **LAW OF MONGOLIA ON HUNTING**

May 5, 2000

(Excerpts)

### **Article 10. Hunting and catching of animals with household purpose**

10.5. Foreign citizens temporarily or permanently residing in Mongolia shall be allowed to fish upon payment with household purposes only as citizens of Mongolia .

### **Article 11. Hunting and Catching of Animals with a Special Purpose**

11.2. Special permit to hunt and catch animals shall be of the following types:

11.2.2. citizens of Mongolia and foreign citizens upon payment of a special permit;

## **LAW ON ANIMAL ORDERS**

May 5, 2000

(Excerpts)

### **CHAPTER TWO**

#### **PROTECTION OF ANIMAL ORDERS**

### **Article 7. Protection of Very Rare and Rare Animals**

7.5. Very rare and rare animals may be hunted or caught in the following circumstances upon a special permit of the Central State Administrative Body:

7.5.2. by citizens of Mongolia and foreign citizens upon payment of special fees;

### **CHAPTER THREE**

#### **OWNERSHIP, POSSESSION AND USE OF ANIMAL ORDERS**

### **Article 17. Collections of Animals**

17.3. The Central State Administrative Body shall give permits to export collections of animals to citizens, business entities and organizations in accordance with international agreements to which Mongolia is a party.