



## LAW OF MONGOLIA

June 21, 2018

Government Palace, Ulaanbaatar

*This Law shall come into force on November 1, 2018*

### ON CIVIL STATE REGISTRATION /Revised Edition/

#### CHAPTER ONE GENERAL PROVISIONS

##### **Article 1. Purpose of the Law**

1.1. The purpose of this Law is to regulate relations with respect to maintaining civil state registration and other related relations.

##### **Article 2. Legislation on Civil State Registration**

2.1. Legislation on civil state registration shall consist of the Constitution of Mongolia<sup>1</sup>, Civil Code<sup>2</sup>, Family Law<sup>3</sup>, General Law on State Registration<sup>4</sup>, Law on travel and immigration abroad of citizens of Mongolia<sup>5</sup>, this Law<sup>6</sup> and other legislative acts issued in conformity therewith.

2.2. If an international treaty of Mongolia is inconsistent with this Law, then the provisions of the international treaty shall prevail.

##### **Article 3. Scope of the Law**

3.1. Relations with respect to acquisition, cessation and restoration of citizenship of Mongolia shall be regulated by the Law on Citizenship<sup>7</sup>, and registration of residence, travel and migration of foreign citizens and stateless persons in Mongolia shall be regulated by the Law on Legal Status of Foreign Citizens<sup>8</sup>.

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<sup>1</sup> The Constitution of Mongolia, published in "Toriin Medeelel" (The State Bulletin), Vol.1, 1992.

<sup>2</sup> The Civil Code of Mongolia, published in "Toriin Medeelel" (The State Bulletin), Vol.7, 2002.

<sup>3</sup> The Family Law, published in "Toriin Medeelel" (The State Bulletin), Vol.30, 1999.

<sup>4</sup> The General Law on State Registration, published in "Toriin Medeelel" (The State Bulletin), Vol.28, 2018.

<sup>5</sup> The Law on Travel and immigration abroad of citizens of Mongolia, published in "Toriin Medeelel" (The State Bulletin), Vol.2, 1994.

<sup>6</sup> The Law on State Registration of Citizens, published in "Toriin Medeelel" (The State Bulletin), Vol.28, 2018.

<sup>7</sup> The Law on Citizenship, published in "Toriin Medeelel" (The State Bulletin), Vol.10, 11, 1995.

<sup>8</sup> The Law on Legal Status of Foreign Citizens, published in "Toriin Medeelel" (The State Bulletin), Vol.32, 2010.

3.2. This Law shall regulate relations arising in connection with civil state registration of citizens of Mongolia as well as foreign citizens and stateless persons residing and migrating on the territory of Mongolia, with exception of those specified in Paragraph 3.1 of this Law.

#### **Article 4. Definitions of Terms of the Law**

4.1. The following terms used in this Law shall be understood as follows:

4.1.1. "Civil registration number" refers to a 12-digit number issued from civil registration database to a person who is registered in registration of biometric trait (fingerprint);

4.1.2. "Civil state registration" refers to the provision of Paragraph 3.1.2 of the General Law on State Registration;

4.1.3. "Civil state registration number" refers to a number representing the order of registration in civil state registration;

4.1.4. "References from civil state registration" refers to a document verifying the correctness of registration information based on civil state registration database;

4.1.5. "Civil state registration database" refers to a set of archive and electronic database of source documents of the civil state registrations specified in Paragraph 6.1 of the General Law on State Registration;

4.1.6. "Source documents of civil state registration" refers to a civil state registration record, registration number book, automated central population registration form, civil state registration form, verification document provided in legislations and assessment of state supervision inspector;

4.1.7. "Registration number" refers to an unrepeated code composed of 2 letters and 8-digit number specifying the date of birth and gender of a citizen of Mongolia.

## **CHAPTER TWO CIVIL STATE REGISTRATION**

#### **Article 5. Maintenance of Civil State Registration**

5.1. Civil state registration shall be maintained in the Mongolian language.

5.2. State administrative organ in charge of state registration, its local bodies and state registrars (hereinafter referred to as "state registrar"), and officers responsible for civil state registration in diplomatic missions abroad (hereinafter referred to as "registration officer") shall carry out the maintenance of civil state registration on the basis of state registration database in accordance with this Law.

5.3. Registration in civil state registration shall be denied only on the basis of laws.

5.4. When registering in civil state registration, the fees indicated in the Law on State Stamp Duties<sup>9</sup> shall be paid.

5.5. Registration officers of diplomatic missions abroad (hereinafter referred to as “diplomatic mission”) shall maintain the civil state registrations specified in Paragraphs 6.1.1, 6.1.2, 6.1.3, 6.1.4, 6.1.5, 6.1.8, 6.1.9, 6.1.10 and 6.1.11 of the General Law on State Registration.

5.6. Civil state registrations other than registrations of adoption, change of family name, surname or name, sex change, migration, acquisition, cessation and restoration of citizenship of Mongolia shall be registered regardless of the jurisdiction of administrative units.

5.7. Civil state registration in relation to foreign citizens and stateless persons shall be registered by a state administrative organ in charge of state registration and its local bodies.

5.8. Procedure on maintaining civil state registration and templates of state registration certificates of birth, marriage and death shall be approved by a Government member in charge of state registration.

5.9. Procedure on delivering source documents of the civil state registrations referred to in Paragraph 5.5 of this Law to a state administrative organ in charge of state registration shall be approved jointly by Government members in charge of state registration and foreign affairs.

5.10. Templates of documents other than those specified in Paragraph 5.8 of this Law, forms and the procedure on issuing, changing and revoking registration numbers shall be approved by a head of state administrative organ in charge of state registration.

5.11. Documents in foreign languages with their official translation shall be documents verifying the right to register in civil state registration.

5.12. Every citizen of Mongolia shall have a registration number and this number shall be recorded in state registration certificates of birth, marriage or death, citizen identity card, national passport and their identical documents.

5.13. Numbers of civil state registration form and certificate shall coincide with the civil state registration number specified in Paragraph 4.1.3 of this Law.

5.14. Civil state registration can be recorded in electronic form and the general procedure set forth in this Law shall apply equally.

## **Article 6. Registration of Birth**

6.1. Parent or his/her authorized representative or representative of competent authority shall submit and register in registration of birth the following documents within 30 days after the birth of a child:

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<sup>9</sup> The Law on State Stamp Duties, published in “Toriin Medeelel” (The State Bulletin), Vol.1, 2011.

6.1.1. Parent's citizen identity card or, if the parent is a foreign national or stateless person, a passport or its substitute document;

6.1.2. Medical description on the birth of a child;

6.1.3. Parents' marriage certificate.

6.2. For registration of birth of a child born on the territory of Mongolia from parents, one of whom is a citizen of Mongolia and another is a foreign citizen or stateless person, separate applications of parents shall be enclosed to the documents specified in Paragraph 6.1 of this Law.

6.3. For registration of birth of a child born on the territory of foreign country from parents, one of whom is a citizen of Mongolia and another is a foreign citizen or stateless person, separate applications of parents on their mutual agreement to register their child as a citizen of Mongolia in registration of birth, shall be enclosed to the documents specified in Paragraph 6.1 of this Law.

6.4. If the child referred to in Paragraph 6.3 of this Law is not registered in registration of birth within the period set forth in Paragraph 6.1 of this Law, a reference letter of competent authority evidencing that a citizenship of foreign country has not been acquired, shall be enclosed.

6.5. If parents who have not registered their marriage want to register their child in a father's family name and given name, they shall submit separate applications. If one of the parents cannot personally submit, his/her application shall be certified by a notary.

6.6. Citizen or representative of child care institution wishing to take care of a child whose parents have not been determined, shall record the child to police within 2 days after the discovery of the child.

6.7. In the case provided in Paragraph 6.6 of this Law the following documents shall be submitted and a child shall be registered in registration of birth:

6.7.1. Police description;

6.7.2. Court decision or forensic inquiry's conclusion on setting age of the child.

6.8. Child born within 10 months after the death of his father may be registered in the father's family name and given name on the basis of the documents specified in Paragraph 6.1 of this Law and the death certificate. If parents did not registered in registration of marriage, a court ruling that he is a child of the deceased shall be enclosed.

6.9. In order to register a child in the father's family name and given name, who was born within 10 months after the divorce or invalidation of parents' marriage, separate applications of the parents or court decision on paternity determination, shall be enclosed to the documents specified in Paragraphs 6.1.1 and 6.1.2 of this Law.

6.10. If a child died before birth registration, in order to register the deceased child in registrations of birth and death, parents shall enclose a medical description on the death of the child to the documents specified in Paragraph 6.1 of this Law.

6.11. State registrars and registration officers shall record registration of birth within 1 working day after receiving the documents specified in Paragraphs 6.1, 6.2, 6.3, 6.4, 6.5, 6.7, 6.8, 6.9 and 6.10 of this Law.

6.12. Birth certificate shall include the following:

6.12.1. Civil state registration number;

6.12.2. Child's registration number;

6.12.3. Child's family name, surname and given name;

6.12.4. Date of child's birth, gender, place of birth;

6.12.5. Date of registration in registration of birth;

6.12.6. Father's citizenship, registration number, family name, surname and given name;

6.12.7. Mother's citizenship, registration number, family name, surname and given name;

6.12.8. Name of a registering authority;

6.12.9. State registrar's or registration officer's signature and stamp.

6.13. Birth of twin children shall be registered in sequence, and a birth certificate shall be issued to each child.

6.14. If the application referred in Paragraph 6.5 of this Law has not been submitted, or a court decision on paternity determination has not been taken, or the previous marriage of one of the parents has not ended, a birth of child shall be registered in the mother's family name and given name.

6.15. If one of the parents is a citizen of Mongolia and another is a foreign citizen or stateless person, a birth of child may be registered in the family name of the parent who is a foreign citizen or stateless person on the parents' mutual consent in accordance with this Law.

6.16. Birth of a child born from foreign citizens or stateless persons on the territory of Mongolia may be registered and a birth certificate can be issued without registration number.

6.17. If a child died before registration of birth, registrations of birth and death shall be carried out on the basis of a medical description.

## **Article 7. Registration of Marriage**

7.1. Applicants for marriage shall submit and personally register in registration of marriage the following documents:

7.1.1. Separate applications;

7.1.2. Applicants' citizen identity cards, or passports or their substitute documents of foreign citizens or stateless persons;

7.1.3. Medical examination description of applicants referred in Article 8 of the Family Law.

7.2. When considering a minor with full legal capability in accordance with Paragraph 15.2 of the Civil Code, the relevant court decision shall be enclosed to the documents specified in Paragraph 7.1 of this Law.

7.3. In case of registration of marriage of a foreign citizen with a citizen of Mongolia or foreign citizens residing privately or officially in Mongolia, a document on marriage status issued by competence authority or diplomatic mission of the relevant foreign country shall be enclosed to the documents specified in Paragraph 7.1 of this Law.

7.4. If a citizen of Mongolia, who registered his/her marriage in accordance with legislation of foreign country, wishes to register in registration of marriage, a marriage certificate issued by competent authority of the relevant foreign country shall be enclosed to the documents specified in Paragraphs 7.1.1 and 7.1.2 of this Law.

7.5. State registrars and registration officers shall record registration of marriage within 5 working days after the receipt of the documents specified in Paragraphs 7.1, 7.2, 7.3 and 7.4 of this Law.

7.6. When recording registration of marriage, spouses shall be accompanied by witnesses and a witness shall be over the age of 18 years.

7.7. Marriage certificate shall include the following:

7.7.1. Civil state registration number;

7.7.2. Fiance's registration number;

7.7.3. Fiance's citizenship, date of birth, family name, surname and given name;

7.7.4. Fiancee's registration number;

7.7.5. Fiancee's citizenship, date of birth, family name, surname and given name;

7.7.6. Date of registration;

7.7.7. Name of a registering authority;

7.7.8. State registrar's or registration officer's signature and stamp.

7.8. If there are impediments to marriage specified in Article 9 of the Family Law, the registration of marriage shall be denied.

### **Article 8. Registration of Marriage End**

8.1. Citizens, who fulfill the grounds specified in Article 13 of the Family Law and mutually consent to divorce their marriage by administrative procedure, shall submit and personally register in registration of marriage end the following documents:

8.1.1. Separate applications;

8.1.2. Citizen identity cards, or passports or their substitute documents of foreign citizens or stateless persons;

8.1.3. Marriage certificate.

8.2. If a citizen who is divorcing his/her marriage by administrative procedure cannot be present for good reason, the application specified in Paragraph 8.1.1 of this Law shall be certified by a notary.

8.3. Citizen, who has divorced his/her marriage by judicial procedure, shall submit the following documents within 3 working days after the day the court decision comes into force and shall register them in civil state registration:

8.3.1. Citizen identity card;

8.3.2. Court decision on divorce.

8.4. If spouses are citizens of Mongolia or a spouse is a foreign citizen or stateless person and their divorce in accordance with legislation of a foreign country does not contradict the legislation of Mongolia, their marriage end shall be registered in civil state registration on the bases of a document issued by competent authority of the relevant foreign country.

8.5. State registrars and registration officers shall record registration of marriage end within 21 working days after the receipt of the documents specified in Paragraphs 8.1, 8.2 and 8.4 of this Law and within 1 working day after the receipt of the documents specified in Paragraph 8.3 of this Law.

8.6. If a spouse is registered in death registration, his/her marriage end shall be registered in civil state registration.

### **Article 9. Registration of Marriage Restitution**

9.1. Citizens, who want to register their marriage restitution, shall submit and personally register the following documents:

9.1.1. Separate applications;

9.1.2. Citizen identity cards, or passports or their substitute documents of foreign citizens or stateless persons;

9.2. If a court decision on declaring a citizen missing or deceased is cancelled, the court decision shall be enclosed to the documents specified in Paragraph 9.1 of this Law.

9.3. If a court declares a divorce invalid, the court decision shall be enclosed to the documents specified in Paragraph 9.1 of this Law.

9.4. State registrars and registration officers shall record registration of marriage restitution within 5 working days after the receipt of the documents specified in Paragraphs 9.1, 9.2 and 9.3 of this Law.

## **Article 10. Registration of Paternity Determination**

10.1. Parents, who have registered their marriage after registering a birth of their child and want to register their child in the father's family name and given name, shall submit and personally register the following documents:

10.1.1. Parents' application;

10.1.2. Citizen identity cards, or passports or their substitute documents of foreign citizens or stateless persons;

10.1.3. Marriage certificate;

10.1.4. Child's birth certificate and citizen identity card.

10.2. If a parent cannot be present for good reason, his/her application for paternity determination shall be certified by a notary.

10.3. If the paternity is determined by court, a parent shall submit and register the following appropriate documents:

10.3.1. Parents' citizen identity cards, or passports or their substitute documents of foreign citizens or stateless persons;

10.3.2. Child's birth certificate and citizen identity card;

10.3.3. Court decision on the paternity determination.

10.4. State registrars and registration officers shall record registration of paternity determination within 5 working days after the receipt of the documents specified in Paragraphs 10.1, 10.2 and 10.3 of this Law.

10.5. Paternity, determined by legislation of a foreign country in respect to a citizen of Mongolia, may be registered in registration of paternity determination in accordance with the Family Law.

## **Article 11. Registration of Adoption**

11.1. Adopter shall submit the following documents and personally approach to a governor of soum or district where a child is residing:



11.1.1. Application;

11.1.2. Consent of parents to give their child for adoption;

11.1.3. Citizen identity cards of adopter and parents or guardian or trustee;

11.1.4. Marriage certificate, if married;

11.1.5. Consent of a child foster institution, if a child is in this institution.

11.2. The documents specified in Paragraphs 11.1.1 and 11.1.2 of this Law shall be certified by a notary.

11.3. The appropriate consents specified in Paragraphs 55.2, 55.3 and 55.4 of the Family Law shall be enclosed to the documents specified in Paragraph 11.1 of this Law.

11.4. Governor of soum or district, if he considers the documents specified in Paragraphs 11.1 and 11.3 of this Law to be completed, shall ask an officer responsible for children and social welfare matters to make an opinion.

11.5. Governor of soum or district shall decide whether to give a child for adoption within 20 days on the basis of the opinion referred in Paragraph 11.4 of this Law.

11.6. State registrars shall record registration of adoption within 1 working day after the receipt of decision of authorized person and add it to a birth certificate.

11.7. Reference from civil state registration may be issued at the request of competent authority, adoptive parents, guardian and trustee, as well as to native parents with the consent of the adoptive parents.

11.8. Based on the court decision on the invalidation of adoption, state registrar shall amend the registration and restore the registration of birth.

## **Article 12. Registration of Change of Family Name, Surname and Given Name**

12.1. Citizen, who wants to change his/her family name, surname or given name, shall submit the following documents and register them with a state registration authority of the place of his/her residence:

12.1.1. Application;

12.1.2. Birth certificate, citizen identity card, or passport or its substitute document of foreign citizen or stateless person.

12.2. The following appropriate documents shall be enclosed to the documents specified in Paragraph 12.1 of this Law:

12.2.1. Marriage certificate, if an applicant to change his/her family name, surname or given name is married;

12.2.2. Child's birth certificate and citizen identity card, if an applicant to change his/her family name, surname or given name has a child;

12.2.3. Consent of parents or guardian, if a family name, surname or given name of citizen with partial civil legal capability is changed;

12.2.4. Consent of parents or trustee, if a family name, surname or given name of citizen with some civil legal capability is changed;

12.2.5. Court decision, if a citizen considered the person without civil legal capability.

12.3. Citizen may request to change his/her family name, surname or given name on the following grounds:

12.3.1. Parent's ancestral family name has been erroneously determined and registered in civil state registration;

12.3.2. Citizen of Mongolia married to a foreign citizen or stateless person wants to register in his/her spouse's family name;

12.3.3. Citizen, who has his/her father's family name and given name, wants to change by his/her mother's family name and given name, and a citizen, who has his/her mother's family name and given name, wants to change by his/her father's family name and given name;

12.3.4. Family name, surname or given name of a citizen in the civil state registration electronic database is different from his/her family name, surname or given name in his/her documents.

12.4. Citizen may change his/her given name once.

12.5. Citizen may apply to restore his/her previous family name, surname or given name.

12.6. State registrars shall record registration of changes of family names, surnames and given names within 7 working days after the receipt of the documents specified in Paragraphs 12.1, 12.2 and 12.5 of this Law.

12.7. If a citizen has registered his/her changed family name or given name, the relevant change shall be made in the information of civil state registration of a child who has the citizen's family name or given name.

12.8. Paragraph 12.4 of this Law shall not apply to taking the measures specified in Article 7 of the Law on Protection of Witnesses and Victims<sup>10</sup>.

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<sup>10</sup> The Law on Protection of Witnesses and Victims, published in "Toriin Medeelel" (The State Bulletin), Vol.30, 2013.

12.9. Family name, surname or given name of a suspect, accused, defendant and convicted shall not be changed.

### **Article 13. Registration of Death**

13.1. Person referred in Paragraph 13.2 of this Law shall submit and register a citizen identity card of the deceased and the following appropriate documents within 3 days in aimag and the capital, and 7 days in soum and diplomatic mission:

13.1.1. Medical description on the death of a citizen;

13.1.2. Court decision on declaring a citizen dead;

13.1.3. Forensic medical conclusion on the cause of death;

13.1.4. Decision of an emergency commission created by the Government if a person has died from disaster.

13.2. The following persons shall register the deceased in registration of death:

13.2.1. Family member over the age of 18 years or parent or relative of the deceased;

13.2.2. If the deceased worked, studied, received medical treatment, nursed or was in military service, detained or convicted in prison, an administrative official of the relevant organization, and in case of finding a dead body a competent official of forensic medical authority;

13.2.3. If a citizen of Mongolia dies on territory of a foreign country, a citizen of Mongolia or a citizen or legal entity of foreign country.

13.3. When registering the deceased, the person specified in Paragraph 13.2.1 of this Law, shall submit a citizen identity card, and the official and legal entity referred in Paragraphs 13.2.2 and 13.2.3 of this Law shall submit a document confirming his position.

13.4. State registrars and registration officers shall record registration of death within 1 working day after the receipt of the documents specified in Paragraph 13.1 of this Law.

13.5. Death certificate shall include the following:

13.5.1. Civil state registration number;

13.5.2. Registration number of the deceased;

13.5.3. Family name, surname and given name of the deceased;

13.5.4. Firth date, sex and birth place of the deceased;

13.5.5. Citizenship and permanent residence's address of the deceased;

13.5.6. Date of death;

13.5.7. Date of recording in registration of death;

13.5.8. Name of a registering authority;

13.5.9. State registrar's or registration officer's signature and stamp.

13.6. Death of a foreign citizen or stateless person on the territory of Mongolia may be registered in accordance with this Law.

13.7. Death certificate shall be issued once to the person who registered the death.

#### **Article 14. Registration of Sex Change**

14.1. Citizen over the age of 18 years, who wants to register his/her sex change in civil state registration, shall submit the following documents and personally register them in state administrative organ in charge of state registration:

14.1.1. Application;

14.1.2. Citizen identity card and birth certificate;

14.1.3. Medical verification document on the sex change.

14.2. The following appropriate documents shall be enclosed to the documents referred in Paragraph 14.1 of this Law:

14.2.1. Decision of competent authority on marriage end;

14.2.2. Parent's application in case of change in registration of a surname of child;

14.2.3. Child's birth certificate and citizen identity card.

14.3. State registrars shall record registration of sex change within 7 working days after the receipt of the documents specified in Paragraphs 14.1 and 14.2 of this Law.

#### **Article 15. Registration of Biometric Trait (fingerprint)**

15.1. Citizens of Mongolia, who have reached the age of 16 years and are receiving citizen identity cards for the first time, citizens of the age of 25 and 45 years who have changed their citizen identity cards, and citizens who have acquired or restored a citizenship of Mongolia by the degree of the President of Mongolia, shall be registered in registration of biometric trait (fingerprint).

15.2. Citizen of Mongolia, who must be registered for the first time in registration of biometric trait (fingerprint), shall submit the following documents and be personally registered:

15.2.1. Birth certificate;

15.2.2. Citizen identity card of a parent or trustee.

15.3. The following appropriate documents shall be enclosed to the documents specified in Paragraph 15.2 of this Law:

15.3.1. Court decision or order of governor of soum or district on the appointment of a trustee;

15.3.2. Description of a children care institution, where a child lives;

15.3.3. Court decision on determining age of a citizen who is without a document or does not have a source document in civil state registration database.

15.4. Citizen, who has acquired or restored citizenship of Mongolia by the degree of the President of Mongolia, shall submit a description issued by state administrative organ in charge of foreigners and citizenship matters and be personally registered.

15.5. State registrars and registration officers shall record registration of biometric trait (fingerprint) within 1 working day after the receipt of the documents specified in Paragraphs 15.2, 16.3 and 15.4 of this Law.

15.6. Citizen registered in registration of biometric trait (fingerprint) shall be assigned a civil registration number.

## **Article 16. Citizen Identity Card**

16.1. Citizen of Mongolia aged 16 years and older shall have a citizen identity card.

16.2. Citizen identity cards shall be issued for the first time to citizens who have reached the age of 16 years, and renewed to citizens of the age of 25 and 45 years.

16.3. New citizen identity card shall be issued to a citizen who has acquired or restored citizenship of Mongolia by the degree of the President of Mongolia.

16.4. Citizen identity card can be issued to a citizen without residence address in civil state registration database at his/her request and at the request of a non-governmental organization involved in humanitarian assistance and human rights protection, and provided that the citizen is registered at the address of this organization.

16.5. Citizen of Mongolia shall submit and personally register the following documents within 30 days after he reaches the age of 16 years:

16.5.1. Birth certificate;

16.5.2. Citizen identity card of a parent or guardian or trustee.

16.6. Citizen of Mongolia shall renew his/her citizen identity card within 30 days after he/she reaches the age of 25 and 45 years.

16.7. Citizen identity card shall be issued for the first time and for renewal at the age of 25 and 45 years within 5 working days in the capital, 15 working days in soums and 45 working days in diplomatic missions.

16.8. In case of re-issuance, a citizen identity card shall be issued within 3 working days in the capital, 10 working days in soums and 30 working days in diplomatic missions.

16.9. State registrar and registration officer shall give a citizen identity card to the citizen or his authorized representative.

16.10. Citizen identity card and an ordinary passport of a citizen of Mongolia, who withdrew the citizenship of Mongolia, shall be confiscated by a state administrative organ in charge of foreigners and citizenship matters or diplomatic mission and delivered to state administrative organ in charge of state registration.

### **Article 17. National Passport and Its Substitute Document**

17.1. National passport and its substitute document shall become the document to certify the citizenship of Mongolia in foreign country.

17.2. National passport shall have diplomatic, official and ordinary types.

17.3. Validity period of diplomatic and official passports shall be 5 years, and the validity period of ordinary passport shall be 10 years. Ordinary passport shall be issued to children under the age of 16 years for 5 years.

17.4. Templates of national passport and travel document to Mongolia as well as the procedure on issuing, possessing and keeping national passports shall be approved by the Government.

17.5. The following authorities shall issue national passports and their substitute documents:

17.5.1. Diplomatic and official passports by a state administrative organ in charge of foreign affairs;

17.5.2. Ordinary passports by a state registration authority and diplomatic mission;

17.5.3. Travel documents to Mongolia by a diplomatic mission;

17.5.4. Border crossing documents by a local state registration body.

17.6. For obtaining an ordinary passport, travel document to Mongolia or border crossing document, a citizen of Mongolia shall submit and personally register the following documents:

17.6.1. Citizen identity card;

17.6.2. If under the age of 16 years, a birth certificate and his legal representative's citizen identity card or decision on appointment of guardian or trustee.

17.7. State registrar and registration officer shall record registration and give a national passport and its substitute document to a citizen or his authorized representative within 5 working days in the capital, 15 working days in soums and 30 working days in diplomatic missions after the receipt of the documents specified in Paragraph 17.5 of this Law.

17.8. Diplomatic mission shall decide the request to obtain a travel document to Mongolia within 7 working days.

17.9. Issuance of an ordinary passport and border crossing document may be temporary suspended on the basis of the provisions of Subparagraph 5 of Paragraph 1 of Article 5 of the Immigration Law.

### **Article 18. Registration of Citizen's Residence Address**

18.1. When a citizen moves to an address other than that registered in civil state registration database, "permanent residence" refers to registration of a residence for more than 180 days and "temporary residence" refers to registration of a residence for less than 180 days.

18.2. Address of citizen's residence for more than 180 days shall be registered in civil state registration database in accordance with Paragraph 19.1 of this Law.

18.3. Names of aimag, capital city, soum and district, names and numbers of bag and khoroo, names of sub-district and street, numbers of apartment and door, as well as geographical name (name of a place or a river) shall be recorded in address registration in civil state registration database.

18.4. Registration of a residence address of children under 16 years shall be determined by the residence address of their parent or guardian or trustee.

### **Article 19. Registration of Migration**

19.1. When migrating, a citizen shall submit and personally register the following documents with state registrar of his/her new residence (soum and khoroo) within 10 days:

19.1.1. Citizen identity card;

19.1.2. Child's birth certificate, if a citizen with child under the age of 16 years is residing;

19.1.3. Verification document on a residence address;

19.1.4. Other documents specified in laws.

19.2. State registrars shall record registration of migration within 3 working days after the receipt of the documents specified in Paragraph 19.1 of this Law.

19.3. Unless otherwise provided by laws, suspension of registration of migration shall be prohibited.

19.4. If a citizen's ownership rights to immovable property and land at his/her residence place expired and a such change is not registered in his/her address registration in civil state registration database, the registration of his/her residence address may be suspended on the basis of assessment of a state supervision inspector at the request of the citizen concerned.

19.5. Procedure on registration and notification of citizens' migration on the territory of Mongolia shall be approved by the Government.

## **Article 20. Registration of Acquisition, Cessation and Restoration of Citizenship of Mongolia**

20.1. State administrative organ in charge of foreigners and citizenship matters shall maintain the registration of acquisition, cessation and restoration of citizenship of Mongolia.

20.2. The organ specified in Paragraph 20.1 of this Law shall notify in written a state administrative organ in charge of state registration within 5 days from the date of registration of acquisition, cessation and restoration of citizenship of Mongolia.

20.3. State administrative organ in charge of state registration shall record registration of acquisition, cessation and restoration of citizenship of Mongolia within 3 days after the receipt of the decree of the President of Mongolia.

## **CHAPTER THREE AMENDMENTS TO INFORMATION OF CIVIL STATE REGISTRATION**

### **Article 21. Amending Information of Civil State Registration**

21.1. State registrar may amend information of civil state registration in accordance with this Law on the basis of a court decision or an assessment of state supervision inspector.

21.2. In case the relevant information is not registered in civil state registration database, state registrar shall record the information in state registration database on the basis of source documents of civil state registration.

21.3. In the absence of citizen's relevant information and source documents in civil state registration database, state registrar may record civil state registration on the basis of an assessment of state supervision inspector based on citizen's other documents.

21.4. If an assessment of state supervision inspector cannot be issued in accordance with Paragraph 21.3 of this Law, a citizen shall apply to the court with a claim to determine the event of legal significance.

### **Article 22. Reinstating Civil State Registration**

22.1. State registrar shall reinstate a civil state registration on the basis of a decree of the President of Mongolia or court decision or assessment of state supervision inspector.



### **Article 23. Invalidating Civil State Registration**

23.1. If a civil state registration is invalidated, state registrar shall register it on the basis of a court decision or assessment of state supervision inspector.

23.2. State registrar shall invalidate the citizen's registration number or civil state registration of the same type that was registered 2 or more times, on the basis of an assessment of state supervision inspector.

23.3. Paragraph 23.2 of this Law shall not apply to registration of ordinary passport.

### **Article 24. Re-issuing Documents of Civil State Registration**

24.1. State registrar and registration officer shall re-issue documents of civil state registration on the basis of a personal application of citizen, and documents of a child under the age of 18 years on the basis of an application of his/her parent, guardian, trustee or representative of child foster institution in the following cases:

24.1.1. Document cannot be the legal document due to its loss, damage or expiration, and there is no space for remarks on ordinary passport's pages;

24.1.2. Civil state registration is amended or reinstated;

24.1.3. Court decision is taken in accordance with Article 150 of the Civil Procedure Code<sup>11</sup>.

24.2. Child's birth certificate shall not be re-issued to a citizen whose parental right was excluded by court decision, and a marriage certificate shall not be re-issued to a citizen whose marriage is divorced or considered as void by court.

24.3. Unless otherwise provided by laws, it is prohibited to make changes to the initial information when re-issuing a birth certificate.

## **CHAPTER FOUR CIVIL STATE REGISTRATION DATABASE**

### **Article 25. Civil State Registration Database**

25.1. It is prohibited to delete, modify, transfer, misuse or reproduce information from the civil state registration database, unless otherwise provided by laws.

### **Article 26. Archive of Source Documents of Civil State Registration**

26.1. Basic documents of the archive of source documents of civil state registration shall contain the source documents of registration of birth, marriage, marriage end, marriage restitution, paternity determination, adoption, changes of family name, surname and name, biometric trait (fingerprint), sex change, citizen identity card, national passport and its substitute document, acquisition, cessation and restoration of

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<sup>11</sup> The Civil Procedure Code, published in "Toriin Medeelel" (The State Bulletin), Vol.8, 2002.

citizenship of Mongolia, migration and death, as well as the civil state registration forms, the registration number book and the civil state registration record.

26.2. One copy of a source document of civil state registration shall be retained in the civil documents' archives of state administrative organ in charge of state registration and its second copy shall be stored in the civil document' archives of local state registration bodies.

26.3. Relations concerning preservation, protection, replenishment and utilization of the archival documents specified in Paragraph 26.1 of this Law shall be regulated by the Law on Archives<sup>12</sup>.

## **CHAPTER FIVE REGISTRATION OF POPULATION, HOUSEHOLD AND VOTERS**

### **Article 27. Registration of Population and Households**

27.1. Governors of bags and khoroos shall maintain registration of population, households and citizens' temporary residences in accordance with Paragraph 1 of Article 21 of the Law on Statistics<sup>13</sup>.

27.2. Governors of bags and khoroos shall exchange information on the registrations specified in Paragraph 27.1 of this Law with state registration authority.

### **Article 28. Registration of Voters**

28.1. Registration of voters shall be maintained by state administrative organ in charge of state registration on the basis of civil state registration electronic database.

28.2. Person who has registered in registration of biometric trait (fingerprint) in accordance with Article 15 of this Law and reached the age of 18 years shall be registered in registration of voters.

## **CHAPTER SIX MISCELLANEOUS**

### **Article 29. Liabilities for Violating the Law**

29.1. If an act by an official in breach of this Law is not a criminal in nature, liabilities specified in the Law on Civil Service<sup>14</sup> shall be imposed.

29.2. A person or legal entity that violates this Law shall be subject to liabilities under the Criminal code<sup>15</sup> or the Law on violation<sup>16</sup>.

### **Article 30. Effective Date of the Law**

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<sup>12</sup> The Law on Archives, published in "Toriin Medeelel" (The State Bulletin), Vol.2, 1998.

<sup>13</sup> The Law on Statistics, published in "Toriin Medeelel" (The State Bulletin), Vol.7, 1997.

<sup>14</sup> The Law on Civil Service, published in "Toriin Medeelel" (The State Bulletin), Vol.28, 2002.

<sup>15</sup> The Criminal Code, published in "Toriin Medeelel" (The State Bulletin), Vol.7, 2016

<sup>16</sup> The Law on Violation, published in "Toriin Medeelel" (The State Bulletin), Vol.24, 207

30.1. This Law shall come into force on the effective date of the General Law on State Registration /Revised Edition/.

**M.ENKHBOLD**  
**CHAIRMAN OF THE STATE IH HURAL OF MONGOLIA**