



## LAW OF MONGOLIA

June 7, 2002

### ABOUT THE LAND / Revised version /

#### CHAPTER ONE General grounds

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

1.1. The purpose of this law is to regulate land possession and use by citizens, business entities and organizations and other related relations.

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##### **Article 2. Legislation on land**

Legislation on land shall consist of the Constitution of Mongolia, the Civil Code, this law and legislation enacted in conformity with them.

Relations related to the use and protection of subsoil, forest, water, atmospheric air, flora, fauna and other natural resources shall be regulated by relevant legislation.

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##### **Article 3. Terms of the law**

3.1. The following terms used in this law shall have the following meanings:

3.1.1. "Land" means the spatial layer of the earth's surface, its soil, forest, water and vegetation;

3.1.2. "Land ownership" means possession of the land within the scope permitted by law with the right to dispose of it;

3.1.3. "Land possession" means possession of land within the scope permitted by law in accordance with the purpose, terms and conditions specified in the agreement;

3.1.4. "Land use" means the use of any useful quality of land in accordance with the agreement concluded with the land owner or possessor within the scope permitted by law;

3.1.5. "Land acquisition" means termination of the right to possess and use the land, and in case of unauthorized use of the land, transfer of buildings and other property on the land, landscaping to prevent the return of land to its owners as provided by law and contract;

3.1.6. "Pastureland" means land belonging to an agricultural land with natural and cultivated vegetation cover for grazing livestock and animals;

3.1.7. "Land possession certificate" means a document certifying the land possession right of a citizen, business entity or organization of Mongolia in accordance with this law;

3.1.8. "Land use right certificate" means a document certifying the land use right of a foreign country, international organization, foreign legal entity, business entity with foreign investment, foreign citizen or stateless person in accordance with this law.

3.1.9. "Public tenure land" means state owned land designated for public use in accordance with relevant procedures.

*/ This provision was added by the law in 6/26/2015 /*

3.1.10. "Personal file of unit area" means a set of paper and electronic documents related to land ownership rights and other related property rights.

*/ This provision was added by the law in 21 June 2018 /*

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##### **Article 4. Principles of the state on land**

The state shall adhere to the following principles regarding land:

4.1.1. The territory of Mongolia shall be inseparable and the land fund shall be unified;

4.1.2. To be under state control and protection of land;

4.1.3. To ensure fairness and equality in land ownership, possession and use;

4.1.4. To possess, use, protect and rehabilitate land efficiently and properly for its main purpose in accordance with the conditions and procedures specified in the law;

4.1.5. Not to carry out any activities that contradict the health of the population, environmental protection, national security and disturb the balance of the environment.

4.1.6. Ensure citizen participation in land management planning.

*/ This provision was added by the law in 6/26/2015 /*

4.1.7. Immovable property on the land shall be an integral part of the land.

*/ This provision was added by the law in 21 June 2018 /*

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#### **Article 5. Land owner**

5.1. Land other than land allocated to citizens of Mongolia for ownership shall be state property.

5.2. Land other than pastureland, public tenure and special state needs may be allocated for ownership only to citizens of Mongolia.

5.3. Relations related to allocating land to Mongolian citizens for ownership shall be regulated by law.

5.4. A land owner shall register his / her land ownership right in the state registration of rights in accordance with the Law on State Registration of Property Rights.

*/ This section was added by the law in June 21, 2018 /*

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#### **Article 6. Land possessor and user**

6.1. Land shall be owned and used by a citizen of Mongolia who has reached the age of 18 (hereinafter referred to as "citizen"), business entity or organization in accordance with this law.

6.2. Unless otherwise provided by law, the following lands shall be used publicly under the supervision and regulation of relevant state level organizations:

6.2.1. Pasture, water point in pasture and land with salt marshes;

6.2.2. Public land of cities, villages and other settlements;

6.2.3. Roads and networks;

6.2.4. Land with forest resources;

6.2.5. Land with water reservoir.

6.3. A foreign country, international organization, foreign legal entity, business entity with foreign investment, foreign citizen or stateless person may be a land user in accordance with the legislation on the basis of a specific purpose, term, conditions and agreement.

6.4. Legal status of the Apartment Owners' Association for the purpose of maintaining green lawns, trees, shrubs, children's playgrounds, shades, sidewalks, parking lots and parking lots built in accordance with building codes for residents and owners of public apartment buildings; Land in the environment specified in Article 4.1.6 of the Law on Common Ownership of Public Apartment Buildings may be used by the Apartment Owners Association.

*/ This part was added by the law in 1 July 2005 /*

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#### **Article 7. Land fee**

7.1. Citizens, business entities and organizations possessing and using land shall pay land fees in accordance with the Law on Land Fees.

*/ This part was amended according to the law dated November 13, 2019 /*

7.2 The amount of land fee, its discount, release and spending procedure shall be determined by law.

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#### **Article 8. Boundary menu, place names, place names and land map**

Each aimag, capital city, soum and district shall have a border menu, land and water map and land map.

8.2. The State Great Hural and the state central administrative body in charge of land matters (hereinafter referred to as the "authorized government body") shall approve the names of borders, land and water maps and the map of the land fund.

*/ This part was amended according to the law dated June 12, 2003 and amended according to the law dated January 27, 2005 /*

8.3. Aimag, capital city, soum and district border menus, land and water maps and land map maps shall be kept by the respective level Governor and a complete copy of the state central administrative body in charge of land matters.

*/ This part was amended according to the law dated June 12, 2003 /*

8.4. The state central administrative body in charge of land matters shall establish procedures for storing, using and reflecting changes to the boundary menu, land and water names and land map maps.

*/ This part was amended according to the law dated June 12, 2003 and amended according to the law dated January 27, 2005 /*

8.5. The official name of the land and water shall be changed only by the State Great Hural.

8.6. It is prohibited to use double land and water names in official documents and events, to translate official land and water names into languages other than Mongolian, and to transliterate them into other languages.  
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## **CHAPTER TWO**

### **Unified Land Fund of Mongolia and its main classification**

#### **Article 9. Unified land fund**

9.1. All land within the borders of Mongolia, regardless of the type and form of ownership, is a unified land fund.

9.2. The unified land fund shall be classified according to the main purpose and needs of land use.

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#### **Article 10. Basic classification of the unified land fund**

The unified land fund of Mongolia shall be classified as follows:

- 10.1.1. The Department of Agriculture;
- 10.1.2. Cities, villages and other settlements;
- 10.1.3. Road and network land;
- Land with forest resources;
- 10.1.5. Land with water reservoir;
- 10.1.6. Land for special needs.

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#### **Article 11. Department of Agriculture**

11.1. Agricultural land shall include pastures, hayfields, arable lands, fallow lands, grounds of agricultural buildings and structures, and other lands for agricultural production.

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#### **Article 12. Cities, villages and other settlements**

12.1. Lands of cities, villages and other settlements shall include buildings and structures of cities, villages and other settlements, lands of industrial and mining areas and public lands, lands owned and used by citizens, business entities and organizations.

12.2. Public land shall include streets, squares, roads, non-owned recreation, leisure and sports areas, kindergartens, cemeteries, waste dumps and treatment areas owned by cities, villages and other settlements.

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#### **Article 13. Road and network department**

13.1. Road and network land shall include land allocated for electricity, heat, gas, water supply, sewerage, roads, road corridors, outside cities, villages and other settlements for transportation, communication and information purposes.

*/ The provisions of the new 6-May 19, 2015 Horse, dated 5 May 11, 2017, the law of add elt imported /*

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#### **Article 14. Land with forest resources**

14.1. Forest land shall include forests, saxaul lands, deforested areas, forest clearings, strips, lands intended for reforestation and providing land for forest expansion.

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#### **Article 15. Land with water reservoir**

15.1 Areas with water reservoirs shall include lakes, ponds, ponds, rivers, streams, springs, streams, reservoirs, mineral springs, swamps, glaciers, glaciers and their protected areas.

*/ This part was amended according to the law dated May 02, 2019 /*

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#### **Article 16. Land for special needs**

Mongolia shall have land for special needs. State special needs land includes the following areas:

16.1.1. State special protected area;

16.1.2. The state border strip;

16.1.3. Land allocated for state defense and security purposes;

16.1.4. Land allocated to diplomatic missions and consulates of foreign countries and representative offices of international organizations;

16.1.5. Areas for scientific and technological testing, experiments and regular observation of the environment and weather conditions;

16.1.6. Inter-aimag otor pasture;

16.1.7. Hay area of the state fodder fund.

16.1.8. An oil contract area to be used for exploration purposes in accordance with a production sharing agreement;

16.1.9. Free zone land.

16.1.10. Land allocated for the construction and operation of nuclear equipment.

*/ This provision was added by the law in 16 July 2009 /*

16.1.11. Land allocated for artisanal and small-scale mining.

*/ This provision was added by the law in 1 July 2010 /*

Border crossing zone.

*/ This provision was added by the law in December 26, 2013 /*

16.1.13. A place to implement large-scale national development, infrastructure projects and programs;

*/ This provision was added by the law in 7 July 2015 /*

16.1.14. Land for construction of centralized hazardous waste facility.

*/ This provision was added by the law in 7 July 2015 /*

16.2. Aimags, the capital city, soums and districts may take land for local special needs in accordance with their powers for the purposes specified in Articles 16.1.1, 16.1.6, 16.1.7 and 16.1.11 of this Law.

*/ This part was amended according to the law dated July 01, 2010 /*

16.3. It may be taken from any category of land of the Unified Land Fund for special needs.

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### **CHAPTER THREE**

#### **Powers of state and local self-governing bodies on land issues**

##### **Article 17. Powers of the State Great Hural**

The State Great Hural shall exercise the following powers with respect to land relations:

17.1.1. To determine the unified state policy on land;

17.1.2. To make decisions on leasing land to foreign countries, international organizations and foreign legal entities for a certain period of time under a concession agreement;

17.1.3. To take and release land for special needs of the state for the purposes specified in Articles 16.1.1-16.1.4, 16.1.9 and 16.1.12 of this Law, and to determine its size and boundaries;

*/ This part was amended according to the law dated December 26, 2013 /*

17.1.4. To determine the size and location of land to implement international projects and activities covering the region.

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##### **Article 18. Powers of the Government**

The Government shall exercise the following powers with respect to land relations:

18.1.1. To organize and ensure the implementation of the unified state policy on land;

18.1.2. To determine the procedure for taking and issuing land for special needs of the state, its size, boundaries and use for the purposes specified in Articles 16.1.5, 16.1.6, 16.1.7, 16.1.8, 16.1.13 and 16.1.14 of this law; to transfer to the authority of the competent authority;

*/ This part was amended according to the law dated July 08, 2015 /*

18.1.3. To provide compensation in case of replacement or redemption of land in connection with acquisition for special needs of the state;

18.1.4. To establish procedures for establishing and operating a land exchange;

18.1.5. To carry out state inspection of land management, land condition and quality, to keep reports on the unified land fund and to establish procedures;

18.1.6. To determine the boundaries and land use procedures specified in Article 17.1.2 of this Law;

18.1.7. Approve the state land management plan.

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#### **Article 19. Powers of the State Central Administrative Body**

The state central administrative body in charge of land matters shall exercise the following powers:

19.1.1. To organize the implementation of the unified state policy and legislation on land;

19.1.2. To submit the report of the Unified Land Fund to the Government;

19.1.3. To grant and revoke the rights of professional organizations to economic entities and organizations engaged in land management and land cadastre activities, and to approve and enforce their operating procedures and instructions;

19.1.4. monitor the expenditure of funds for land management, land protection and rehabilitation;

19.1.5. To approve the methodology for determining the initial auction price of the land possession and use right certificate;

19.1.6. To submit to the Government a proposal to acquire or issue land specified in Articles 16.1.2-16.1.9 and 16.1.12 of this Law for special state needs and to determine its size and boundaries;

*/ This part was amended according to the law dated December 26, 2013 /*

19.1.7. To monitor land condition and quality assurance activities nationwide;

19.1.8. To give an opinion on the general land management plan of aimags and the capital city and monitor its implementation;

19.1.9. To develop land cadastre policy and manage activities at the national level;

19.1.10. To submit to the Government the issue of determining the land belonging to the main category of the unified land fund and transferring it from one category to another;

19.1.11. Approve the charter of the state administrative body in charge of land matters.

The state central administrative body in charge of nature and environment shall exercise the following powers:

19.2.1. To submit to the Government a proposal to acquire or issue the land specified in 16.1.1 of this Law for special state needs, and to determine its size and boundaries;

19.2.2. To determine the degree of land erosion and damage, types and classifications of desertification, to develop and enforce methods, instructions and procedures for combating and rehabilitating them.

*/ This article was amended according to the law dated January 27, 2005 /*

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#### **Article 20. General powers of aimag, capital city, soum and district Citizens 'Representatives' Khurals and Governors**

Citizens' Representatives Khurals of aimags, the capital city, soums and districts shall exercise the following general powers with respect to land relations:

20.1.1. To monitor the implementation of the legislation on land, the implementation of its decisions, to discuss and evaluate the Governor's report on this issue;

20.1.2. To discuss and approve the general land management plan of the aimag or the capital city submitted by the Governor of the respective level and the annual land management plan of the soum or district developed in accordance with it;

20.1.3. To take land for special needs of aimags, the capital city and soums, to determine its size, boundaries and procedures for use based on the submission of the respective level Governor;

20.1.4. In case of replacement or redemption of land before the expiration of the agreement in connection with acquisition of land owned by others for special needs of aimags, the capital city and soums, to make a decision on compensation upon submission by the respective level Governor;

20.1.5. To determine the territory and location of the industrial and technology park.

*/ This provision was added by the law in 17 December 2009 /*

Governors of aimags, the capital city, soums and districts shall exercise the following general powers with respect to land relations:

20.2.1. To organize and ensure the implementation of the unified state land policy, land legislation and decisions of the respective level Citizens' Representatives Khural in its territory;

20.2.2. To monitor the efficient and appropriate use and protection of land and its resources by land possessors and users in accordance with legislation and agreements, to make decisions to eliminate violations and to organize their implementation;

20.2.3. To submit the general land management plan of aimags and the capital city and the draft land management plan of the soum or district developed in accordance with it to the respective level Citizens' Representatives Khural;

20.2.4. To review the consolidated report of the unified land fund of the respective administrative and territorial unit annually, submit it to the Citizens' Representatives Khural for discussion, and report to the higher level Governor and the state administrative body in charge of land matters;

*/ This provision rejected amendments dated 6 July 12, 2003 /*

20.2.5. To submit the issue of acquiring land for special needs to the Citizens' Representatives Khural in agreement with the land possessor and the respective level Governor;

20.2.6. To make a decision to forcibly vacate the land and organize its implementation if it has been determined that the condition of the land has been clearly degraded by a professional authority;

20.2.7. To annul illegal decisions of lower level governors related to land possession and use and take measures to eliminate violations;

20.2.8. To appoint and dismiss the head of the aimag and capital city land department in consultation with the head of the Land Affairs, Geodesy and Cartography Department, the aimag and capital city governor and the head of the district land department in consultation with the head of the capital city land department;

*/ This part was amended according to the law dated December 22, 2006 /*

20.2.9. To submit a request to the state administrative body in charge of land matters for a conclusion of a professional organization on the comments and complaints submitted by citizens, business entities and organizations on the negative impact on the environment due to insufficient fulfillment of obligations by land possessors and users.

*/ This provision rejected amendments dated 6 July 12, 2003 /*

20.3. Aimag, capital city and district land department heads shall be selected and appointed from among citizens with relevant land relations qualifications in accordance with Articles 25, 26 and 27 of the Civil Service Law.

*/ This part was added by the law in December 22, 2006 /*

*/ This part was amended according to the law dated December 07, 2017 /*

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## **Article 21. Powers of the Citizens' Representatives Khural of the capital city and governors of aimags, the capital city, soums and districts**

The Citizens' Representatives Khural of the capital city shall exercise the following powers with respect to land relations:

21.1.1. To discuss and approve the draft general development plan of the city submitted by the Governor and the annual land management plan of the capital city according to the schedule of each district.

21.2. The Governor of the capital city shall exercise the following powers in relation to land relations:

21.2.1. To develop the draft of the general development plan of the city and the draft land management plan of the capital city for each year and submit it to the Citizens' Representatives Khural of the capital city together with the proposal of the district governor and the conclusion of the state central administrative body in charge of land issues;

*/ This part was amended according to the law dated January 27, 2005 /*

21.2.2. To determine the location, purpose and size of land to be possessed or used in a given year in accordance with the approved plan;

21.2.3. In accordance with the draft of the general development plan of the capital city approved by the Citizens' Representatives Khural of the capital city, the general land management plan of the capital city and the annual plan, resolve issues of land possession and use in areas with engineering lines and networks. The proposal of the relevant district governor shall be taken to resolve the issue;

21.2.4. To organize land possession and use specified in 21.2.3 of this law in accordance with the draft of the general development plan of the city and the approved land management plan for the given year.

21.3 Aimag governors shall exercise the following powers in relation to land relations:

21.3.1. To give directions to the draft land management plan of the soum for the given year;

21.3.2. In accordance with the general land management plan approved by the aimag Citizens' Representatives Khural, the issue of land possession and use in areas with engineering lines and networks in the aimag center shall be resolved. The soum governor's opinion was sought to resolve the issue.

Soum governors shall exercise the following powers in relation to land relations:

21.4.1. To submit proposals on the draft general land management plan of the aimag;

21.4.2. To submit the draft land management plan for the given year to the soum Citizens' Representatives Khural in accordance with the general land management plan of the aimag;

21.4.3. To resolve and organize the issue of possession and use of land other than those specified in 21.3.2 of this law by citizens, business entities and organizations in the soum in accordance with the annual land management plan approved by the soum Citizens' Representatives Khural.

21.5. The district governor shall exercise the following powers in relation to land relations:

21.5.1. To vote on the draft of the general development plan of the city, the general land management plan of the capital city and the draft of the current year;

21.5.2. Develop a draft of the general development plan of the city approved by the Citizens' Representatives Khural of the capital city, general land management plan and the annual land management plan of the territory and submit it to the Citizens' Representatives Khural of the district;

21.5.3. In accordance with the annual land management plan approved by the Citizens' Representatives Khural of the district, land other than specified in 21.2.3 of this law shall be allocated to citizens, business entities and organizations for possession and use within the district in accordance with Article 21.2.2 of this law. and organize.

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## **Article 22. Powers of bagh and khoroo Citizens' Public Khurals and Governors**

Citizens' Public Hurals of baghs and khoros shall exercise the following powers in relation to land relations:

22.1.1. To organize the use of public tenure land;

22.1.2. To meet the hygiene and sanitation requirements of public land in the territory of baghs and khoros;

22.1.3 discuss and evaluate the Governor's report on land use and protection.

22.2. Bag and khoroo governors shall exercise the following powers in relation to land relations:

22.2.1. To ensure compliance with land legislation and general requirements on efficient and rational use and protection of land;

22.2.2. To ensure the implementation of decisions made by higher level organizations and Citizens' Public Hurals of baghs and khoros on land use and protection;

22.2.3. To be responsible for the use, protection, hygiene and sanitation of public land in its territory.

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## **22<sup>1</sup> article züil.ChöLööt Powers of the Governor**

22<sup>1</sup> .1. In accordance with the approved general plan of the free zone, the issue of allocating the free zone land to citizens, business entities and organizations for possession and use shall be resolved and organized.

*/ This article was added by the law in 12 February 2015 /*

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## **Article 23. System and powers of the state administrative body in charge of land matters**

*/ The title of this article was amended by the Law of June 12, 2003 /*



The state administrative organization in charge of land matters shall have a unified and centralized management and shall have land offices in aimags, the capital city and districts and land officers in soums.

*/ This part was amended according to the law dated June 12, 2003 /*

The state administrative body in charge of land matters shall have the following powers:

*/ This part was amended according to the law dated June 12, 2003 /*

23.2.1. To implement the Government policy on land;

*/ This article is doubtless dated 6 May 12, 2003 Horse, dated January 1 to September 27, 2005 , respectively amended /*

~~23.2.2.~~ */ This provision was repealed by the law in January 27, 2005 /*

23.2.3 develop a general state land management plan;

23.2.4. To manage the land of the state special needs land;

23.2.5 compile land reports annually and submit them to the state central administrative body in charge of land matters;

*/ This article is doubtless dated 6 May 12, 2003 Horse, dated January 1 to September 27, 2005 , respectively amended /*

23.2.6. Approve the structure and staffing of aimag, capital city and district land offices within the limits set by the Government;

*/ This part was amended according to the law dated June 12, 2003 and amended according to the law dated December 22 , 2006 /*

23.2.7. To organize the activities of the land exchange in accordance with relevant procedures;

23.2.8. To engage in land management activities nationwide;

~~23.2.9.~~ */ This provision was repealed by the law in January 27, 2005 /*

23.2.10. To monitor land protection, rehabilitation and land management activities;

23.2.11. To submit a proposal to the Governor of the respective level to annul the decision of the organization or official that violated the land legislation;

23.2.12. To pursue a professional personnel policy on land management and provide professional management of land management activities;

23.2.13 approve the procedure for issuing land possession and use certificates;

23.2.14. To implement the land cadastre policy at the national level, to compile and maintain the state land database;

*/ This part was amended according to the law dated January 27, 2005 /*

23.2.15. To conduct land management and land cadastre research and analysis;

23.2.16. To conduct inspections in cooperation with relevant professional organizations in accordance with Article 20.2.9 of this Law and to make a conclusion on whether they have a negative impact on the environment.

23.2.17. To monitor the activities of professional organizations in charge of land management and land cadastre and to issue conclusions;

*/ This provision was dated 6 July 12, 2003 , custom dated January 27, 2005 edition 1 /*

~~23.2.18.~~ */ This provision was repealed by the law in January 27, 2005 /*

~~23.2.19.~~ */ This provision was repealed by the law in January 27, 2005 /*

~~23.2.20.~~ */ This provision was repealed by the law in January 27, 2005 /*

23.2.21. To operate a monitoring network responsible for determining and evaluating land status and quality, and monitoring quality changes nationwide;

*/ This provision was added by the law in 12 June 2003 /*

23.2.22. Establish a unified land database and network based on modern techniques and technologies for the purpose of determining changes in land status, resources and quality, and maintaining land possession and user registration.

*/ This provision was added by the law in 12 June 2003 /*

23.2.23. To approve the procedure for keeping personal files of the unit area.

*/ This provision was added by the law in 21 June 2018 /*

Aimag and capital city land offices shall have the following rights:

23.3.1. To develop draft general land management plans of aimags and the capital city;



23.3.2. To process proposals on clarifying and amending the boundaries of the respective administrative and territorial units in accordance with relevant procedures;

23.3.3. To maintain land cadastre, establish aimag and capital city land database and provide information to the public;

23.3.4. To prepare land report in accordance with relevant procedures and report to the Governor;

23.3.5. To organize land management work to be carried out within its territory;

23.3.6. To appoint and dismiss soum land officers and heads of district land offices based on the proposal of the respective level Governor;

23.3.7. Based on the Governor's decision, conclude an agreement with a citizen, business entity or organization on land possession and use and issue a certificate;

23.3.8. to determine and impose land fees in accordance with relevant legislation;

*/ This part was amended according to the law dated November 13, 2019 /*

23.3.9. To register land possession and use rights in the state registration of rights in accordance with the procedure set forth in Article 28.1 of the Law on State Registration of Property Rights.

*/ This provision was added by the law in 21 June 2018 /*

23.4. Soum land officer and district land office shall have the following rights:

23.4.1. To develop the draft land management plan for the given year of the soum or district;

23.4.2. Based on the decision of the Governor, conclude an agreement with a citizen, business entity or organization on land possession and use and issue a certificate;

23.4.3. To mark and coordinate the size and boundaries of land allocated for possession and use on the spot, to make cadastral maps of them and to register them in the state land registry;

23.4.4. To maintain the land database;

23.4.5. to determine and impose land fees in accordance with relevant legislation;

*/ This part was amended according to the law dated November 13, 2019 /*

23.4.6. To register land possession and use rights in the state registration of rights in accordance with the procedure set forth in Article 28.1 of the Law on State Registration of Property Rights.

*/ This provision was added by the law in 21 June 2018 /*

~~23.5.~~ */ This part was annulled by the law in January 27, 2005 /*

Aimag, capital city, district land offices and soum land officers shall record the state registration number of rights specified in Article 28.3 of the Law on State Registration of Property Rights in the land possession and use right certificate.

*/ This section was added by the law in June 21, 2018 /*

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## CHAPTER FOUR

### Land Management, Land Cadastre, and Unified Land Fund Report

#### Article 24. Land management and its financing

24.1. Land management is a complex measure aimed at implementing land legislation, maintaining land cadastre, efficient and rational use of land, protection, rehabilitation, increasing economic capacity and resources of land, and creating a favorable geographical and land relations environment. .

24.2. Land management measures shall be performed by a professional organization authorized by the state central administrative body in charge of land matters.

*/ This part was amended according to the law dated June 12, 2003 and amended according to the law dated January 27, 2005 /*

24.3 The evaluation of land management work shall be determined by the Government.

24.4. Relevant citizens, business entities and organizations shall be obliged to comply with the decisions of the Government, its authorized organizations, Citizens 'Representatives' Khurals and Governors of all levels on land management.

24.5. Land management activities shall be financed in the following procedures:

24.5.1. Expenditures required for land management activities related to setting and changing the boundaries of administrative and territorial units, developing general state land management plans and determining regional development prospects shall be covered from the state budget;

*/ This article of January 1, 2003 0 amended law / 2*

24.5.2. Expenditures required for land management activities of aimags, the capital city, soums, districts, cities, villages and other settlements shall be covered from the local budget;

24.5.3. Expenditures required for land management activities to be carried out by citizens, business entities and organizations on the land owned and used by them at their own expense.

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#### **Article 25. Basic land management documents and requirements to them**

The main land management documents shall consist of the following:

25.1.1. General land management plan of the state;

25.1.2. General land management plan of aimags and the capital city;

25.1.3. Draft of the general plan of the city development;

25.1.4. Annual land management plan of the capital city, soum and district;

25.1.5. Schemes and technical documents related to the establishment of new settlements, steppe tenure, special protected areas, land for the implementation of international projects and activities involving large enterprises, mines, roads, networks and regions, and free zones; government rationale, land management maps and projects;

25.1.6. Land cadastre map, registration, research and evaluation materials.

25.2. The State General Land Management Plan is a 16-20 year perspective of social and economic development of the country based on the land management policy adapted to the natural and geographical conditions, land resources, its ecology, economy, spatial capacity and capacity in the territory of Mongolia. direction-oriented design document.

25.3. Aimag and capital city general land management plans shall be design documents to be implemented within 12-16 years developed within the scope specified in 25.2 of this law.

25.4. The annual land management plan of the capital city, soum and district shall be a design document to be implemented by citizens, business entities and organizations in the year of land possession, use, protection, rehabilitation and location.

25.5. Land cadastral maps, registration, research and evaluation materials shall meet the requirements of the relevant law.

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#### **Article 26. Land cadastre and unified land fund report**

Land cadastre is a component of land management measures.

26.2. The land cadastre shall include indicators such as state registration of all categories of land, land inventory, quality, evaluation, payment, migration and land protection measures specified in Articles 9-16 of this law for each administrative and territorial unit. is.

26.3. The report of the Unified Land Fund shall reflect the state of land allocation, state registration, use and protection of land by aimag, capital city, soum and district, and attach a map showing their movement.

The Government shall approve the report form of the Unified Land Fund.

26.5. Soum and district reports of the Unified Land Fund shall be issued by the Governor as a ticket as of December 1 of the current year and submitted to the Governor of the aimag or the capital city by December 15 of the current year; Aimag and capital city reports of the Unified Land Fund shall be submitted by the Governor to the state administrative body in charge of land matters by January 15 of the following year.

*/ This part was amended according to the law dated June 12, 2003 /*

26.6. The state central administrative body in charge of land matters shall submit the report on the consolidated land fund of the given year to the Government by March of the following year.

*/ This part was amended according to the law dated June 12, 2003 and amended according to the law dated January 27, 2005 /*

26.7. Based on the results of the land cadastre, a report on the unified land fund shall be issued.

Relations related to land cadastre shall be regulated by relevant laws.

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## **CHAPTER FIVE Land possession and use**

### **Article 27. Land possession**

27.1. Land shall be possessed only on the basis of a contract with a certificate of rights for the purpose, term and conditions specified in this law.

Land possession certificate shall be issued only to citizens, business entities and organizations of Mongolia.

27.3. Each unit and field shall have a certificate.

27.4. Any person without a valid certificate shall be prohibited to possess land.

27.5. Citizens, economic entities and organizations that have rehabilitated land that has been eroded or left unused due to human activities may be allowed to possess the land based on the conclusion of the aimag or capital city environment department.

*/ This part was amended according to the law dated May 02, 2019 /*

27.6. Artificial lakes, ponds, reservoirs, reared animals, planted forests, and lands under commercial plants established by citizens, economic entities and organizations with their own funds, proposals of bagh Citizens' Public Khurals, conclusions of relevant professional organizations, soum Citizens' Representatives Privileges may be granted based on the decision of the meeting.

[Print](#)

#### **Article 28. Types of land possession certificates**

The land possession certificate shall have the following types:

28.1.1. For joint family needs;

28.1.2. Government organization;

28.1.3. Business entity or organization.

[Print](#)

#### **Article 29. Size and location of land to be possessed by a certificate**

The amount of land to be given to a citizen for free possession for the purpose of building a private ger or apartment fence for the joint use of his / her family shall not exceed 0.07 ha.

In addition to those specified in Article 29.1 of this Law, a citizen may be granted free possession of not more than 0.1 hectares of land for the purpose of planting vegetables, fruits, berries and crops for the joint needs of his / her family.

29.3. Based on the proposal of the Bagh Citizens' Public Khural and the decision of the Soum Citizens' Representatives Khural, the land may be given to a citizen who has worked in the agricultural sector for many years for the joint needs of his / her family. The size of arable land per citizen shall be up to 100 hectares for grain and up to 5 hectares for potatoes and vegetables.

29.4. The maximum size and location of land to be possessed by a citizen within the amount specified in Articles 29.1, 29.2 and 29.3 of this Law may be determined by the Citizens' Representatives Khural of the respective soum or district taking into account the population density and land resources.

29.5. The area for planting vegetables, fruits and berries may be adjacent to the plot of land of a private ger or apartment, or in a place specially designated for this purpose.

The Government shall set the maximum amount of land to be possessed by a business entity for production and services.

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#### **Article 30. Term of land possession**

30.1. Land may be leased to citizens, business entities and organizations of Mongolia for a period of 15-60 years. The term of one-time renewal of a land possession certificate shall not exceed 40 years.

30.2. In case the land possessor is dead, declared dead or considered missing, the legal heir of the citizen may, if he / she wishes, transfer the land possession certificate to his / her name and continue to possess the land until the end of the land possession period specified in the original agreement.

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#### **Article 31. Requirements for land possession**

31.1. Applicants for land possession shall be only citizens of Mongolia, business entities and organizations.

31.2. The location of the requested land shall be specified in the land management plan of aimag, capital city, soum and district for possession by citizens, business entities and organizations.

31.3. The requested land shall not overlap to any extent with the land owned and used by others.

31.4. Prior to allocating land for economic activities such as construction of towns and buildings, construction of new roads, construction of hydropower plants, exploration and exploitation of minerals, a preliminary

study and permission shall be obtained by a professional organization of paleontology, archeology and ethnography. .

*/ This section was added by the law in 5 May 2014 /*

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### **Article 32. Request for land possession**

Citizens, business entities and organizations shall submit their applications for land possession to the Governor of the respective level in accordance with the form approved by the state administrative body in charge of land matters.

*/ This part was amended according to the law dated June 12, 2003 /*

A citizen shall include the following in the request specified in Article 32.1 of this Law:

32.2.1. Surname, name, address of permanent residence, ID card and registration number;

32.2.2. outline map showing the jurisdiction, size, boundaries, location, unit area number and unit area of the administrative and territorial unit of the possessed land;

*/ This clause was amended according to the law dated June 21, 2018 /*

32.2.3. Purpose and term of land possession.

32.3. A business entity or organization shall include the following in the request specified in 32.1 of this Law:

32.3.1. A copy of the name, affiliation, address and state registration certificate assigned to the business entity or organization;

32.3.2. An outline map showing the jurisdiction, size, boundaries, location and unit area of the administrative and territorial unit of the business entity or organization conducting production and services;

32.3.3. Purpose and term of land possession.

32.4. Upon receipt of the request attached to the documents specified in Articles 32.2 and 32.3 of this Law, the soum land officer, aimag, capital city and district land offices shall register in accordance with the procedures approved by the state administrative body in charge of land matters. The date, time and minute of receipt of the request shall be recorded in the registration and a reference to this effect shall be provided to the applicant.

*/ This part was amended according to the law dated June 12, 2003 /*

32.5. If the request and attached documents are reviewed by the soum land officer, aimag, capital city or district land office and the requirements are not met, the grounds shall be notified to the applicant and deregistered.

[Print](#)

### **Article 33. Making a decision on land possession**

33.1. The issue of allocating land for possession to citizens and business entities of Mongolia shall be resolved in accordance with the following procedures:

33.1.1. Decisions on allocation of land specified in Articles 29.1, 29.2 and 29.3 of this Law and necessary for budgetary entities shall be made by the respective level Governor in accordance with the general land management plan and annual plan approved by the Citizens' Representatives Khurals of aimags, the capital city, soums and districts;

33.1.2. The Governor of the respective level shall select the issue of allocating land for possession to citizens, business entities and organizations that have applied for land possession for purposes other than those specified in 33.1.1 of this Law and in excess of the amount specified in 29.1, 29.2 and 29.3 of this Law. decided in principle. The procedure for project selection and auction shall be established by the Government.

33.2. If the person who obtained the land possession right in accordance with the decision specified in 33.1.2 of this Law has not paid the price of the land possession certificate within the specified period, the certificate shall be re-auctioned.

33.3. Disputes arising on the decision to possess land with a certificate shall be resolved in accordance with Article 60.1.1 of this Law.

33.4. It shall be prohibited to possess land outside the detention center or in areas other than those specified in the land management plan of aimags, the capital city, soums and districts.

*/ This part was amended according to the law dated June 09, 2017 /*

33.5. In accordance with Article 33.1.2 of this Law, land possession rights in the form of project selection shall be granted only for projects and programs to be implemented with state budget investment or with grants and soft loans from foreign countries and international organizations.

*/ This section was added by the law in November 10, 2017 /*

33.6. It shall be prohibited for citizens and legal entities to use or possess land in the special protection zone of the water reservoir and in the sanitary zone of the water supply source.

*/ This section was added by the law in 5 May 2019 /*

33.7. Within 15 working days after the authorized person makes a decision on land possession or use, the relevant information shall be entered into the joint database specified in Article 9.11 of the General Law on State Registration.

*/ This section was added by the law in 13 November 2019 /*

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#### **Article 34. Land possession agreement and procedure for concluding it**

34.1. Based on the decision on land possession specified in Article 33.1 of this Law, the soum land officer, aimag, capital city and district land administration shall conclude a land possession agreement with the citizen, business entity or organization, issue a certificate and register in the state registry.

34.2. Citizens, business entities and organizations that have obtained land possession rights for the purpose of conducting production and services shall conclude a land possession contract with them, issue a certificate of rights and register them in the state registry after conducting an environmental impact assessment within 90 days.

*/ This part was amended according to the law dated May 17, 2012 /*

34.3. If a negative conclusion is made on the environmental impact assessment of the land to be possessed by the citizen, business entity or organization with the certificate, the auction certificate shall be refused and the auction price shall be refunded.

*/ This part was amended according to the law dated May 17, 2012 /*

34.4. If the activities of all citizens, business entities and organizations participating in the auction are expected to have a negative impact on the environmental impact assessment, the auction shall be re-conducted in accordance with this law.

*/ This part was amended according to the law dated May 17, 2012 /*

34.5. The state registration shall indicate the date of issuance of the certificate, the name of the possessor, the number, size and location of the issued land unit and shall have an appendix to reflect any changes related to the certificate.

34.6. The land possession contract shall include the following:

34.6.1. Grounds for land possession / relevant decision /;

34.6.2. Purpose of land possession;

34.6.3. Map showing the size, location and boundaries of the land, unit number;

*/ This clause was amended according to the law dated June 21, 2018 /*

34.6.4. Land condition and quality indicators;

34.6.5. Term of land possession;

34.6.6. obligations related to land fees;

*/ This part was amended according to the law dated November 13, 2019 /*

34.6.7. Rights, duties and responsibilities of the parties to the contract;

34.6.8. An agreement on what to do with the buildings, structures and other property on the land upon termination of the land possession right;

34.6.9. Conditions and procedures for replacement or redemption of possessed land with compensation;

34.6.10. Work to be done on land protection and rehabilitation;

34.6.11. Other items deemed necessary.

34.7. State inspection of the condition and quality of land allocated for possession for the purpose of conducting production and services and environmental impact assessment shall be attached to the land possession agreement.

*/ This part was amended according to the law dated May 17, 2012 /*

34.8. The land possession contract shall be valid together with the certificate of rights and the parties shall evaluate the implementation of the contract annually.

34.9. In case of joint possession of land, there may be one land possession contract.

34.10. The land possession certificate of a citizen, business entity or organization shall be the basis for registration of their immovable property on the land in the state registration.

34.11. Citizens, business entities and organizations that have applied for land possession for the purpose of conducting economic activities such as construction of towns and buildings, construction of new roads, construction of hydropower plants, exploration and exploitation of minerals shall enter the land before concluding a land possession contract. Preliminary paleontology, archeology and ethnographic research have been conducted and approved.

*/ This section was added by the law in 5 May 2014 /*

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#### **Article 35. Rights and obligations of land possessor**

A land possessor shall have the following rights:

35.1.1. To possess and use the land in accordance with the purpose specified in the agreement; 35.1.2. to obtain state certification of land condition and quality from land owners;

35.1.3. To compensate the damage caused to the land in accordance with the procedures established by the guilty person;

35.1.4. To transfer the certificate to others with the permission of the person who made the decision on land possession;

*/ This part was amended according to the law dated July 09, 2009 /*

35.1.5. To extend the term of the right certificate to continue possession of the land upon expiration of the right certificate, if the land legislation and land possession agreement have been duly fulfilled;

35.1.6. A land possessor may allow all or part of the land to be used by others with the permission of the person who made the decision on land possession;

35.1.7. To pledge his / her land possession right in accordance with the procedures set forth in this law.

*/ This provision was added by the law in 7 July 2009 /*

35.2 The rights specified in Articles 35.1.4 and 35.1.6 of this Law shall not apply to state organizations.

35.3. The land possessor shall have the following obligations:

35.3.1. Comply with the terms and conditions set forth in the land possession agreement;

35.3.2. Comply with the legislation on efficient and rational use and protection of land, environmental protection and general requirements set by state authorities in connection with land use;

35.3.3. to pay land fees within the period specified by law;

*/ This part was amended according to the law dated November 13, 2019 /*

35.3.4. to have the state inspection of land condition and quality carried out in accordance with established procedures;

35.3.5. Not to violate the rights and legitimate interests of others related to land possession;

35.3.6. To register in the state registration in case of pledge or transfer of the certificate in accordance with this law.

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#### **Article 36. Auction price and service fee for land possession certificate**

The initial auction price of a land possession and use right certificate shall be determined by the respective level Governor in accordance with the methodology approved by the state central administrative body in charge of land matters.

*/ This part was amended according to the law dated June 12, 2003 and amended according to the law dated January 27, 2005 /*

36.2. The price determined by the auction shall be the actual price of the certificate.

~~36.3.~~ */ This part was annulled by the law in 12 June 2003 /*

36.4 The Government shall determine the amount of fees to be paid for the issuance, transfer and renewal of a certificate.

*/ This part was amended according to the law dated June 12, 2003 /*

36.5. Service fees for transferring and extending the certificate shall be centralized in the land protection and rehabilitation fund.

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#### **Article 37. Extension of land possession certificate**

37.1. At least 30 days prior to the expiration date of the certificate, the holder shall submit a request for extension to the respective level Governor and attach the following documents:



- 37.1.1. Land possession certificate;
- 37.1.2. A document confirming payment of the land fee;
- 37.1.3. A reference on the implementation of the findings of the environmental impact

assessment.

*/ This part was amended according to the law dated May 17, 2012 /*

37.2. Governors of aimags, the capital city, soums and districts shall review whether they have met the conditions for possession of a certificate within 15 days after receiving the request for extension and shall make a decision to extend the term of possession certificate. Based on this decision, the soum land officer, aimag, capital city and district land offices shall register.

[Print](#)

#### **Article 38. Transfer of land possession certificate to others**

A land possession certificate may be transferred or pledged to others in a form permitted by law. Transfer and pledge of a certificate shall be conducted only between Mongolian citizens, business entities and organizations.

38.2. The parties shall submit a request to transfer the certificate and attach the following documents:

38.2.1. Notarized contract;

38.2.2. Proof that the person receiving the certificate fully recognizes the rights and obligations arising from the transfer of the certificate;

38.2.3. A document confirming payment of taxes and fees.

*/ This part was amended according to the law dated November 10, 2017 /*

38.2.4. Electronic or printed certificate of registration as a taxpayer with the tax authority.

*/ This provision was added by the law in 10 November 2017 /*

38.3. The Governor of the respective level shall receive the request to transfer the certificate and clarify the following:

38.3.1. Whether the requirements specified in 38.2 of this Law are met;

38.3.2. Whether the certificate of the right to transfer is valid;

38.3.3. Whether the person transferring the certificate has the right to possess the certificate.

38.4. The Governor of the respective level shall make a decision within 15 working days after receiving the request to transfer the certificate. Based on this decision, the transfer of the certificate shall be valid upon registration with the soum land officer, aimag, capital city and district land offices.

38.5. A land possessor may pledge his / her land possession right in accordance with the Civil Code, in which case he / she shall register with the soum land officer, aimag, capital city and district land office and make a note on the pledge in the certificate.

*/ This part was amended according to the law dated July 09, 2009 /*

38.6. If the land possession certificate is transferred to others, it shall be deemed to have earned income and the amount of income shall be not less than the initial auction price.

*/ This section was added by the law in November 10, 2017 /*

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#### **Article 39. Termination of land possession right**

39.1. The right to possess land shall be terminated in the following cases:

39.1.1. No request for extension of the land possession certificate or land possession contract has expired;

39.1.2. A land possessor has been declared dead, declared dead, missing and it is determined that he / she has no legal successor, and the land possessing business entity or organization has been liquidated;

39.1.3. The possessor has submitted a request to terminate the land possession contract;

39.1.4. The land possession certificate has become invalid;

39.1.5. Compensation for taking land for special needs has been paid in full to the land possessor.

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#### **Article 40. Revocation of land possession certificate**

Governors of aimags, the capital city, soums and districts shall revoke land possession certificates in the following cases:

40.1.1. The certificate holder has repeatedly or seriously violated the legislation on land and the terms and conditions of the land possession agreement;

40.1.2. The use of land against the interests of public health, environmental protection and national security has been determined by the conclusion of the competent authority;

40.1.3. The transferred certificate has not been registered in the state registry and a new contract has not been concluded;

40.1.4. It has been determined that the requirements set by the environmental impact assessment have not been met, paleontology, archeology, preliminary ethnographic research and research have not been conducted and permission has not been obtained in accordance with Article 31.4 of this law;

*/ This article was amended by the law dated 5 May 17, 2012 , e- prices dated July 15, 2014 the law was amended provisions / 5*

40.1.5. The certificate holder has not paid the land fee in full on time;

40.1.6. The land has not been used for 2 consecutive years in accordance with the purpose specified in the contract without a valid reason.

40.1.7. The person entitled to possess the land did not identify and report the relevant tax in accordance with Article 30.6 of the Corporate Income Tax Law and Article 17.2 of the Personal Income Tax Law, intentionally concealed or falsely reported the information required for assessment.

*/ This section was added by the law in November 10, 2017 /*

*/ This part was amended according to the law dated March 22, 2019 /*

40.2. If the grounds specified in 40.1 of this Law are established, the Governor of aimag, capital city, soum or district shall issue an ordinance revoking the certificate and notify the person who held the certificate or pledged it.

40.3. If the certificate holder and the pledgee consider the decision of the Governor to be illegal, they shall have the right to appeal to the court within 10 working days from the date of the decision.

40.4. Governors of aimags, the capital city, soums and districts shall notify the state administrative body in charge of land matters of their decision to revoke the certificate and reflect it in the state registration.

*/ This part was amended according to the law dated June 12, 2003 /*

40.5. If the holder of the right certificate and the pledgee file a complaint to the court, the new possession certificate shall not be issued until a valid court decision is issued.

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#### **Article 41. Vacation of land upon termination of land possession rights**

41.1. Unless otherwise provided by law or the land possession contract, the land shall be vacated and transferred to the Governor of aimag, capital city, soum or district within 90 days upon expiration of the land possession right of citizens, business entities and organizations.

41.2. Expenses related to land acquisition in accordance with the grounds specified in Articles 39.1.1-39.1.4 of this Law shall be borne by the person who possessed the land.

41.3. If the land possessor requests to terminate the land possession contract based on the conclusion of a professional organization that the possessed land has been affected by disasters, catastrophes and accidents and can no longer be used for the purpose, the land reclamation expenses may be financed from the state and local budgets. However, the owner of the land shall be responsible for the transfer of buildings, structures and other property on the land.

*/ This part of 1 April 2003 02 dated copy Horse, copy of the 6th day of May 12, 2003, Horse, dated 02 March 2017 2 law by amendments /*

41.4. If the land is not vacated within the period specified in Article 41.1 of this Law, the Governor of the respective level shall organize the eviction in accordance with the relevant legislation.

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#### **Article 42. Replacement or redemption of land owned by others before the expiration of the contract**

Before the expiration of the contract, the state central administrative body in charge of land matters may submit to the Government a proposal to replace or reclaim all or part of the land possessed by citizens, business entities and organizations for special state needs after prior agreement with the land possessor.

*/ This part was amended according to the law dated June 12, 2003 and amended according to the law dated January 27, 2005 /*

The Government shall make appropriate decisions taking into account the proposal of the state central administrative body in charge of land matters and its preliminary agreement with the land possessor on replacement or redemption of land possessed by others with compensation.

*/ This part was amended according to the law dated June 12, 2003 and amended according to the law dated January 27, 2005 /*

42.3. Based on the decision of the Government specified in 42.2 of this Law, the Governor of the respective level shall conclude an agreement with a citizen, business entity or organization to replace or take back the land with compensation.

42.4. In case of replacement or redemption of private ger and apartment hashaa plots with compensation, their release shall be carried out only between May 15 and September 15.

42.5 Disputes arising in connection with the exchange or redemption of land possessed by others with compensation shall be resolved in accordance with Articles 60.1.1 and 60.1.4 of this Law.

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#### **Article 43. Compensation for replacement or redemption of land owned by others before the expiration of the contract**

43.1. Citizens, business entities and organizations possessing land shall vacate the relevant land and transfer it to the Governor of the respective level within 90 days after concluding the agreement specified in 42.3 of this Law, unless otherwise provided by law or the agreement.

43.2 The decision to replace or take back the land possessed by others with compensation shall include the price of the land and the cost of land acquisition at the current exchange rate of buildings and other property that cannot be separated from the land, taking into account the preliminary agreement with the land possessor.

43.3. Compensation to be paid to land possessors shall be transferred from the state budget to the respective level Governor at the conclusion of the contract specified in 42.3 of this Law.

*/ That the Law dated 1 November 2, 2003 Horse, dated 6 July 12, 2003, respectively amended /*

43.4. Unless otherwise provided in the agreement specified in 42.3 of this Law, the Governor of the respective level shall pay compensation to the citizen, business entity or organization that possessed the land within 60 days from the date of concluding the agreement.

43.5. Unless otherwise provided in the contract specified in 42.3 of this Law, the land possessor shall vacate the land within 30 days from the date of full payment of compensation to him / her.

43.6. Compensation shall not apply to citizens, business entities and organizations using land.

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#### **Article 44. Land use**

44.1. The issue of land use by foreign countries, international organizations and foreign legal entities shall be resolved in accordance with Articles 17.1.2 and 18.1.6 of this Law.

44.2 The principle of reciprocity shall be followed in determining the amount of land and fees to be used by diplomatic missions and consulates of foreign countries and missions of international organizations.

44.3. Conditions and procedures for land use in diplomatic missions and consulates of foreign countries and representative offices of international organizations shall be determined by international agreements of Mongolia.

44.4. The issue of allowing foreign citizens and stateless persons permanently residing in Mongolia (for more than 183 days) to use the land only for their family needs shall be decided by the Governor of the respective level on the basis of auction.

44.5. A business entity with foreign investment shall be granted land for special purpose, term and conditions in accordance with this law and the term shall be determined by the Government.

44.6. The amount of land to be used by citizens specified in 44.4 of this Law for the purpose of private ger and apartment hashaa shall not exceed 0.05 ha and the amount of land to be allocated for planting vegetables, fruits and berries shall not exceed 0.1 ha. The land shall be leased for a period of up to 5 years and the term of one-time extension shall not exceed 5 years.

44.7. Before applying for land use, a foreign citizen or stateless person shall obtain a certificate from the competent authority in charge of foreign citizens and citizenship.

*12 / In this section, dated December 26, 2013 and copy Horse, dated 7 October 21, 2016, the law of amendments /*

44.8. 32, 33.1.2, 33.2, 33.5, 34.1-34.5, 34.6.1-34.6.8, 34.6.10 and 34.6 of this Law shall apply to land use, review and resolve it, determine the content of land use agreement and conclude it. The procedures set forth in Articles 11 and 34.7-34.10 shall be followed.

*/ This part was amended according to the law dated November 10, 2017 /*

44.9. The land possession and use contract of a Mongolian citizen, business entity or organization that leased land to a foreign citizen, stateless person or legal entity without the permission of the competent authority shall be terminated and the damage caused during the use shall be compensated.

44.10. A land use right certificate if the person entitled to land use has not identified and reported the relevant tax in accordance with Article 30.6 of the Corporate Income Tax Law and Article 17.2 of the Personal Income Tax Law, intentionally concealed or falsely reported the information required for assessment. and terminate the land use contract and compensate for the damage caused during the use.

*/ This section was added by the law in November 10, 2017 /*

*/ This part was amended according to the law dated March 22, 2019 /*

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#### **44<sup>1</sup> article züil.Suuts Condominium Association use the land to**

44<sup>1</sup>.1. On behalf of the Apartment Owners Association, the executive director of the association shall submit his / her request for use of the surrounding land to the Governor of the respective level authorized to make decisions on the issue in accordance with the template approved by the state administrative body in charge of land matters.

44<sup>1</sup>.2. The request to use the surrounding land shall include the following:

44<sup>1</sup>.2.1. The name of the apartment owners' association, the address of the place of residence, and a reference from the soum or district governor's office confirming the registration of the association;

44<sup>1</sup>.2.2. Location and address of the apartment building for public use;

44<sup>1</sup>.2.3. Outline drawing showing the purpose, size, boundary, location, unit area (green lawn, trees, bushes, shrubs, children's playground, shade, sidewalk, parking lot, etc.);

44<sup>1</sup>.2.4. Proposals of bag and khoroo governors.

44<sup>1</sup>.3. In case of duplication of land in the vicinity of several apartment buildings for public use, the executive director of one of the apartment owners' associations elected from among the apartment owners' associations shall submit a request.

44<sup>1</sup>.4. The request specified in 44<sup>1</sup>.2 of this Law shall be received and examined by the land department of the capital city, district and soum land officer. If this request does not meet the requirements set forth in Article 44<sup>1</sup>.2 of this Law, the applicant shall be granted an opportunity to comply with this requirement for a period of up to 14 days. If the requirements are not met within the specified time, the request shall be returned to the CEO.

44<sup>1</sup>.5. The decision to use the surrounding land to the Apartment Owners Association shall be made by the authorized official specified in Articles 21.2, 21.3 and 21.4 of the Law on Land. The contract shall be concluded in accordance with the approved model.

44<sup>1</sup>.6. The contract specified in 44<sup>1</sup>.5 of this Law shall include the following:

44<sup>1</sup>.6.1. Grounds for land use;

44<sup>1</sup>.6.2. Purpose of the land to be used;

44<sup>1</sup>.6.3. Map showing the size, location and boundaries of the land, unit number;

*/ This clause was amended according to the law dated June 21, 2018 /*

44<sup>1</sup>.6.4. Land condition and quality indicators;

44<sup>1</sup>.6.5. Term of land use;

44<sup>1</sup>.6.6. Rights, duties and responsibilities of the parties;

44<sup>1</sup>.6.7. Work to be done on land protection and rehabilitation;

44<sup>1</sup>.6.8. Act on acceptance of land;

44<sup>1</sup>.6.9. Other items deemed necessary.

44<sup>1</sup>.7. Article 8 of the Construction Law and relevant construction norms and rules shall be followed in determining the size of the land to be used by the Apartment Owners Association.

44<sup>1</sup>.8. The general plan of the land to be used by the Apartment Owners Association shall be approved jointly by the aimag and capital city land department and the urban development department.

44<sup>1</sup>.9. The term of use of the land to be used by the Apartment Owners Association shall be 15 years. The contract specified in Article 44<sup>1</sup>.6 of this Law may be extended any number of times for a period of 15 years during the life of the apartment building.

44<sup>1</sup>.10. The Apartment Owners' Association shall exercise the rights specified in Articles 35.1.1, 35.1.3 and 35.1.5 of this Law and use the responsibilities specified in Articles 35.3.2 and 35.3.5 of this Law. The Apartment

Owners' Association shall comply with the terms and conditions specified in the agreement specified in Article 44<sup>1</sup>.6 of this Law .

44<sup>1</sup>.11. If the apartment owners' association uses the land for purposes other than those specified in the environmental land use agreement, the land authority and land officer shall terminate the agreement specified in 44<sup>1</sup>.5 of this Law and compensate the damage caused during use.

44<sup>1</sup>.12. The Apartment Owners' Association may re-apply in accordance with the procedure set forth in Article 44<sup>1</sup>.2 of this Law after fully compensating the damage and violations caused by the use of the surrounding land for purposes other than those specified in the agreement .

*/ Item 7 October 2005 0 plus 1 st law /*

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#### **Article 45. Rights and obligations of land users**

45.1. Land users shall exercise the rights and obligations specified in Articles 35.1.1, 35.1.2, 35.1.5, 35.3.1-35.3.5 of this Law and other legislation.

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#### **Article 46. Use of land owned and used by others for public tenure and special needs**

46.1. Governors of aimags, the capital city, soums and districts may use land owned and used by others for public use and special needs for a certain period of time with or without payment, upon prior agreement with the land possessor and user.

46.2. The Government may, based on social necessity, make a decision to use the land in the possession and use of others for public use and special needs with or without payment until the need is eliminated.

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#### **Article 47. Termination of land ownership rights upon termination of land possession and use rights**

Upon termination of the right to possess and use land, the right of the owner of the building or other property on the land to use the property on the land shall be terminated, unless otherwise provided by law or contract.

47.2. Unless otherwise provided by law or contract, citizens, business entities and organizations that possessed and used the land shall rehabilitate and improve the land at the termination of the right to possess and use the land.

47.3. Disputes arising in connection with termination of land possession and use rights shall be resolved in accordance with Article 60.1.4 of this Law.

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#### **Article 48. Use of land owned and used by others with limited rights, access to and transit of such land**

48.1. Any person may enter and cross the land without causing damage, unless it is specially protected by signs prohibiting access and transit, or by fencing.

The state central administrative body in charge of land matters shall determine the design of prohibitory signs and the procedure for their use.

*/ This paragraph is amended by the 6 May 12, 2003, and 2 included 005 new amended law on Article 27/1*

48.2. The owner of immovable property shall have the right to demand limited use of the land possessed and used by others for the purpose of using roads and other roads for the purpose of constructing roads, electricity, communication and engineering lines, exits and other purposes.

48.3. The right to use land with limited rights shall arise upon agreement between the land possessor, user and the person claiming to use the land with limited rights.

When the right to possess or use the land is transferred to another person, the right of others to use the land with limited rights shall be preserved.

48.4. A land possessor or user shall have the right to demand from the person using the land with limited rights to stop such use if the land cannot be used for its intended purpose due to limited use of the land by others.

48.5. It is prohibited to transfer the right to use land with limited rights to a non-owner of the property specified in 48.2 of this Law.

48.6 Disputes arising in connection with the use of land with limited rights shall be resolved in accordance with Article 60.1.4 of this Law.

48.7. Other relations related to the use of land with limited rights shall be regulated by the relevant provisions of the Civil Code.

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#### **Article 49. Termination of land use rights of certain persons**

49.1. Unless otherwise provided by law, the right of a person specified in Article 44 of this Law to terminate his / her right to use land shall be terminated unless otherwise provided by law.

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## CHAPTER SIX

### Efficient and rational use and protection of land

#### Article 50. General requirements for efficient and rational use and protection of land

50.1. Land possessors and users shall comply with the following requirements for efficient and rational use and protection of land: 50.1.

50.1.1. To be responsible for maintaining the condition and quality of land, measures to prevent soil fertility reduction due to natural and human activities, soil vegetation degradation, soil erosion, damage, drying, swamping, salinization, pollution and poisoning at its own expense;

50.1.2. To rehabilitate and rehabilitate lands damaged by mining, construction materials, construction of railways and roads, exploration, testing, testing and other purposes with its own efforts and resources;

50.1.3. Not to adversely affect the environment when using land, its resources and common minerals;

50.1.4. To protect forest groves, lands with rare and endangered animals, plants, historical and cultural monuments;

50.1.5. Not to carry out activities that adversely affect the environment on land owned or used by others.

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#### Article 51. Hygienic requirements for land use

51.1. Citizens, economic entities and organizations shall conduct environmental impact assessment by a professional organization at their own expense when developing designs related to land use, introducing new technologies, and applying chemicals and fertilizers that have not been tested and tested in Mongolia before.

*/ This part was amended according to the law dated May 17, 2012 /*

51.2. Citizens, business entities and organizations shall construct buildings and facilities that may adversely affect the environmental balance, health of the population, livestock, animals, air, forest, water and plants, place equipment, industrial waste, sewage and toxic substances. and other substances shall be stored and buried underground with the permission of a professional authority.

51.3. Before performing the work specified in Article 51.2 of this Law, citizens, business entities and organizations shall notify the Governor of the respective level in advance, inform the population, mark the boundaries of the land and place permanent warning signs at their own expense.

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#### Article 52. Pasture, its rational use and protection

52.1. Soum and district Citizens' Representatives Khurals shall reflect and approve in the land management plan in accordance with the general schedule of winter, spring, summer, autumn and otor reserve areas, taking into account the specifics of the area, traditions of pasture use and rational use, protection and rehabilitation requirements.

52.2. Summer, autumn and otor pastures shall be distributed among baghs and khot ails and used for public use. Soum and district governors shall set the time for winter and spring pastures to be cleared of livestock and livestock entry, and bagh and khoroo governors and citizens shall follow and implement it, taking into account the annual pasture yield and citizens' opinions. In order to protect and rehabilitate certain areas of winter and spring pastures from degradation, soum governors may use herders in groups according to conditions and agreements based on the proposal of the bagh Citizens' Public Khural, taking into account the specifics of the region, pasture use traditions, land capacity.

52.3 Forest land may be used for pastureland in accordance with relevant legislation.

52.4. Citizens' Representatives Khurals of aimags, the capital city, soums and districts may determine pasture and settled livestock areas in their territories taking into account environmental, social and economic conditions.



52.5. Fenced pastures may be used by citizens, business entities and organizations for the purpose of conducting intensive settled livestock breeding and breeding of domestic animals in accordance with certain conditions and agreements, regardless of the season.

52.6. The general schedule specified in 52.1 of this Law, the size of the land specified in Articles 52.4 and 52.5 and the procedures related to the use of the land shall be determined by the respective level Citizens' Representatives Khural.

52.7. A citizen of Mongolia may jointly own land under winter and spring camps in khot ail.

52.8. If there is a need to relocate to another aimag or soum due to a disaster, disaster or accident, the respective level governors shall discuss and resolve the issue. If no agreement is reached, the matter shall be decided by the higher-level Governor or the Government.

*/ This part was amended according to the law dated February 02, 2017 /*

52.9. The inter-soum otor reserve area and its boundaries to be used in case of disasters and natural disasters shall be determined by the aimag Citizens' Representatives Khural, the inter-aimag otor reserve area and its boundaries shall be determined by the Government.

*/ This part was amended according to the law dated February 02, 2017 /*

52.10 Any disputes over pasture use shall be discussed and resolved by the bagh Citizens' Public Meeting. In case of disagreement, the soum governor shall decide.

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#### **Article 53. Rational use and protection of hayfields**

Soum and district governors shall take land management measures in hayfields in cooperation with professional organizations and ensure their implementation.

53.2. Soum and district governors shall allocate the area available for haymaking to citizens, business entities and organizations for use annually based on the proposal of the bagh and khoroo Citizens' Public Khural and organize its implementation.

53.3. It is prohibited to graze livestock on hayfields registered in the Unified Land Fund from May 15 until the end of haymaking.

53.4. Citizens, business entities and organizations may, in agreement with soum and district governors, use the appropriate harvested part of pastureland as hayfield. This does not apply to hayfields registered in the Unified Land Fund.

53.5. Based on the decision of the Soum Citizens' Representatives Khural, the Soum Governor may grant the land to citizens, economic entities and organizations that have improved the hayfield with their own efforts and resources by irrigating, protecting, fertilizing and planting forest strips.

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#### **Article 54. Rational use and protection of arable land**

The Government shall decide on the establishment of new arable land in cases other than those specified in Articles 29.2, 29.3 and 29.5 of this Law.

*/ This part was amended according to the law dated June 12, 2003 and the law dated April 22, 2004 /*

54.2. A person possessing or using land for agricultural purposes shall take measures to protect the soil and not reduce its fertility, and have the agrochemical analysis carried out on the land in accordance with the time and procedures specified in the legislation.

*/ This part was amended according to the law dated April 22, 2004 /*

54.3. It is prohibited to bring livestock and graze on the land without official permission of the owner, possessor or user of the agricultural land.

*/ This part was amended according to the law dated April 22, 2004 /*

54.4. Possession and use of agricultural land shall be organized by the soum governor based on the proposal of the bagh Citizens' Public Khural and the decision of the soum Citizens' Representatives Khural.

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#### **Article 55. Rational use and protection of subsoil**

55.1. Activities related to subsoil use shall be reflected in the general land management plan of the state, aimag and capital city, and in the annual land management plan of the capital city, soum and district.

55.2. Subsoil users shall have an environmental impact assessment, land protection and rehabilitation project.

*/ This part was amended according to the law dated May 17, 2012 /*

55.3. Subsoil users shall have an environmental impact assessment conducted by an authorized professional organization prior to commencing their operations.

*/ This part was amended according to the law dated May 17, 2012 /*

55.4. A project on land protection and rehabilitation and a plan based on it shall be developed annually and approved by the state central administrative body in charge of land matters.

*/ This part was amended according to the law dated June 12, 2003 and amended according to the law dated January 27, 2005 /*

55.5. The performance of the work reflected in the land protection and rehabilitation plan shall be discussed and evaluated annually by the respective level Citizens' Representatives Khural.

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#### **Article 56. Rational use and protection of cities, villages and other settlements**

56.1. General land development plans of cities and villages developed and approved on the basis of land management plans of administrative and territorial units of cities, villages and other settlements shall be approved for land possession and use by citizens and business entities and organizations in cities and villages and other settlements. shall be implemented in accordance with the procedures set forth in this law in accordance with the phased and partial plans.

56.2. The issue of land possession and use in cities, villages and other settlements where the general city development plan has not been developed shall be resolved by the respective administrative unit based on the land management plan of the territorial unit in accordance with this law.

56.3. Land possession and use in the territory of cities, villages and other settlements shall be based on infrastructure supply, development direction, sanitation, hygiene, ecology, fire safety requirements, land management and urban development plans.

56.4. Lands not allocated for possession or use within cities, villages and other settlements shall be protected by the Governor of the respective level by issuing signals, warnings, fencing, searching and guarding in accordance with the land management plan and other conditions and requirements. avna.

56.5. In case of expiration of land possession and use period, as well as notification of land acquisition by an authorized organization or official to a citizen, business entity or organization that has built a building without proper permit, the citizen, business entity or organization shall be obliged to vacate land within the specified time.

56.6. In accordance with the requirements to improve the appearance and sanitary conditions of cities and villages, to protect and rehabilitate land, the land possessor shall keep at least 10 percent of the acquired land with green facilities.

56.7. The state administrative center in charge of construction and urban development shall be responsible for the planning, construction norms and rules of green lawns, trees, shrubs, children's playgrounds, shades, sidewalks and roads, parking lots and similar facilities in the vicinity of public apartment buildings. approved by the organization.

*/ This part was added by the law in January 27, 2005 /*

56.8. The apartment owners' association shall be responsible for landscaping, maintenance, cleaning and protection of the surrounding area of the apartment building.

*/ This part was added by the law in January 27, 2005 /*

56.9. It shall be prohibited to interfere with the operation of a professional organization engaged in the operation and maintenance of engineering networks and equipment located in the surrounding area.

*/ This part was added by the law in January 27, 2005 /*

56.10. If the apartment owners' association intends to make changes to the land under contract, such as excavation, demolition of children's playgrounds, shades, sidewalks and roads, and parking lots, the professional organization shall agree in advance with the apartment owners' association. will be established.

*/ This part was added by the law in January 27, 2005 /*

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#### **Article 57. State control over the unified land fund**

57.1. The Government, the state central administrative body in charge of land matters, aimag, capital city, soum and district Citizens' Representatives' Khurals, their Presidiums and Governors shall monitor the possession, use, protection and implementation of the land legislation in accordance with their powers specified in the legislation. tavina.

*/ This part was amended according to the law dated June 12, 2003 and amended according to the law dated January 27, 2005 /*

57.2. Professional control over the implementation of the legislation on land shall be exercised by the authorized environmental inspection agency and professional organizations such as plants, quarantine, hygiene, geology and mining in accordance with the legislation.

57.3. Governors of aimags, the capital city, soums and districts shall issue a timely notice to vacate the land if a building or structure has been built on the land or the land has been arbitrarily possessed in other forms without proper permission.

57.4. If the land is not vacated within the period specified in the notification, the Governor of the aimag, capital city, soum or district shall take measures to forcibly vacate the land and recover the relevant expenses from the guilty person.

57.5. If the land is not vacated as specified in Article 57.4 of this Law, the building or structure shall be transferred to state ownership free of charge if deemed necessary.

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#### **Article 58. State inspection of land condition and quality and its issuance**

58.1. For the purpose of continuous implementation of state control over efficient, rational use and protection of land, the state inspection of land condition and quality shall be carried out by re-determining the main indicators of land condition and quality within the period specified in the legislation and comparing them with the initial indicators.

58.2 The state certification of the condition and quality of land other than agricultural land shall be issued on the following indicators:

*/ This part was amended according to the law dated April 22, 2004 /*

58.2.1. Thickness of soil fertile layer;

58.2.2. Soil humus content;

58.2.3. Soil pollution and poisoning;

58.2.4. Changes in the surface appearance;

58.2.5. Changes in plant yield and cover;

58.2.6. Changes in the composition of plant species in pastures and hayfields.

58.3 The state central administrative body in charge of land matters shall determine the methodology for determining the indicators to be used in addition to the indicators specified in 58.2 of this Law, taking into account the specifics of the land.

*/ This part was amended according to the law dated June 12, 2003, this part was amended according to the law dated January 27, 2005 /*

58.4. State inspection of land condition and quality shall be carried out by an authorized professional organization and an opinion shall be issued.

58.5. All categories of land of the Unified Land Fund shall be subject to state inspection of land characteristics and quality once every 5 years, and this guarantee shall be issued upon termination of the right of citizens, business entities and organizations to possess and use land.

58.6. Condition and quality of land possessed and used by the certificate shall be determined by the state central administrative body in charge of land issues and aimag, capital city, soum governors and other departments. The Governor of the respective level shall be responsible for the condition and quality.

*/ This part was amended according to the law dated June 12, 2003 and amended according to the law dated January 27, 2005 /*

58.7. A land possessor or user shall finance the state certification of the condition and quality of his / her land with his / her own funds, and the state and quality certification of the condition and quality of other lands provided for possession and use by citizens, business entities and organizations for the first time.

*/ This part was amended according to the law dated January 2, 2003 /*

58.8 The Government shall determine the evaluation of the state inspection of land condition and quality.

58.9. Procedures and indicators to be used for state certification of land condition and quality (agrochemical analysis) in agricultural lands shall be regulated by the Law on Agriculture.

*/ This part was added by the law in 4/22/2004 /*

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## Chapter Seven Others

### **Article 59. Duties of the police regarding land relations**

The police shall have the following responsibilities for land acquisition and eviction:

59.1.1. To ensure the implementation of the Governor's decision on forced eviction if the right to possess or use land has expired or the land has been possessed or used without proper permission on the grounds specified in the law or agreement;

59.1.2. To take measures in accordance with appropriate procedures in case of use of force or organized detention or protest during land acquisition or eviction.

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### **Article 60. Reviewing and resolving land disputes**

The following disputes arising in connection with the land shall be resolved by the following organizations and officials:

60.1.1. Disputes between citizens, business entities, organizations and the Governor regarding land possession and use shall be resolved by the Governor of the higher level of the respective Governor;

60.1.2. Disputes between citizens, business entities and organizations on land possession and use, disputes between land possessors and users on the terms and conditions of land use agreements;

60.1.3. Disputes concerning the condition and quality of land, its efficient and rational use and protection in accordance with the legislation, by the official in charge of supervision of the relevant professional organization or the Governor of the respective level;

60.1.4. If there is an arbitration agreement on the limited use of land in the possession and use of others and property disputes arising in connection with the land, the court shall arbitrate, in other cases.

*/ This part was amended according to the law dated January 26, 2017 /*

60.2. If a citizen, business entity or organization does not agree with the decision made by the organization or official specified in Articles 60.1.1, 60.1.2 and 60.1.3 of this Law regarding the land dispute, the dispute shall be referred to their higher level official, organization or court. will be resolved.

60.3 Disputes arising in connection with the land used by a business entity with foreign investment shall be resolved in accordance with the procedures set forth in this Article, unless otherwise provided in the agreement concluded between the parties.

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### **Article 61. Revocation of an illegal decision or cessation of an act**

61.1. If an authorized state organization or official violates the land legislation, legitimate interests of a land possessor or user by his / her decision or action /, the organization or official himself / herself or his / her superior organization, official or the court shall annul the illegal decision and terminate the act.

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### **Article 62. Compensation for damages**

62.1. The guilty person who caused damage to the land shall take measures to eliminate the damage with his / her own resources, regardless of whether he / she is liable under the Criminal Code or the Law on Violations, and shall be fully responsible for the costs incurred.

*/ This part was amended according to the law dated December 04, 2015 /*

Citizens, business entities and organizations that have taken possession of the land shall compensate the damage with their own funds when the damage to the land is reported.

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### **Article 63. Liability for violators of the law**

63.1. If the actions of an official violating this Law are not of a criminal nature, he / she shall be subject to liability specified in the Civil Service Law.

63.2. A person or legal entity that violates this Law shall be subject to liability specified in the Criminal Code or the Law on Violations.

*/ This article was amended according to the law dated December 04, 2015 /*

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### **Article 64. Entry into force of the law**

64.1. This law shall enter into force on January 1, 2003.

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