



LEGAL ALERT: UPDATE OF PROCEDURES FOR ISSUANCE OF VISA, VISA PERMIT, AND RESIDENCE PERMIT OF MONGOLIA, THEIR SERVICE FEE

The Law of Mongolia on the Legal Status of Foreign Nationals (2010) has been amended in accordance with the Law on Amendment to the Law on the Legal Status of Foreign Nationals, dated December 31, 2020. Following the amendments, the Visa Issuance Procedure of Mongolia, Procedure for Residence of Foreign Nationals in Mongolia and their Registration, and Visa Service Fee have been revised.

Regulations in connection with investment and work in Mongolia, as well as temporary visit to Mongolia are specifically outlined in this alert.

I. Issuance of Mongolian Visa and Visa Permit

Visa classifications, electronic visas, etc., are newly regulated under this Revised Procedure.

Visa classifications

	Visa classifications	Foreign nationals
For investment purpose	B1	➤ Investor of foreign investment company.
	B1-1	➤ Related persons of investor of foreign investment company.
	B2	➤ Foreign nationals appointed as the representative of the investor and executive director of foreign investment company.
	B2-1	➤ Related persons of foreign nationals appointed as the representative of the investor and executive director of foreign investment company.
	B3	➤ Foreign nationals to work as a director of Representative Office of foreign legal entities.
	B3-1	➤ Related persons of foreign nationals to work as a director of Representative Office of foreign legal entities.

Work Visa	C1	➤ Foreign nationals to work in sectors of construction, road, bridge, and building.
	C1-1	➤ Related persons of foreign nationals to work in sectors of construction, road, bridge, and building.
	C2	➤ Foreign nationals to work in sectors of science, education, and information technology.
	C2-1	➤ Related persons of foreign nationals to work in sectors of science, education, and information technology.
	C3	➤ Foreign nationals to work in sectors of geology, mining, oil, and energy.
	C3-1	➤ Related persons of foreign nationals to work in sectors of geology, mining, oil, and energy.
	C4	➤ Foreign nationals to work in sectors of finance, economy, and law.
	C4-1	➤ Related persons of foreign nationals to work in sectors of finance, economy, and law.
	C5	➤ Foreign nationals to work in sectors of art, culture, and sports.
	C5-1	➤ Related persons of foreign nationals to work in sectors of art, culture, and sports.
	C6	➤ Foreign nationals to work in manufacturing and non-manufacturing sectors.
	C6-1	➤ Related persons of foreign nationals to work in manufacturing and non-manufacturing sectors.
	C7	➤ Foreign nationals to work in sectors of agriculture.
	C7-1	➤ Related persons of foreign nationals to work in sectors of agriculture.
	C8	➤ Foreign nationals to work in health sector.
	C8-1	➤ Related persons of foreign nationals to work in health sector.
	C9	➤ Foreign nationals to work in humanity sector.
	C9-1	➤ Related persons of foreign nationals to work in humanity sector.
	C10	➤ Foreign nationals to work in sectors of care services for household needs.
	C11	➤ Foreign nationals to work in transportation sector and export goods transportation.
	Temporary visitor's visa	K1
K2		➤ Tourists.
K3		➤ Border tourists.
K4		➤ Foreign nationals coming to participate in cultural, art and sports competitions and events, to make movies and content.
K5		➤ Foreign nationals to transport import cargos and passengers.
K6		➤ Transit foreign nationals.

	K7	➤ Foreign nationals who are eligible for a short-term tourism program with the opportunity to work on equal terms in accordance with an international agreement of Mongolia.
	K8	➤ Foreign nationals coming to receive medical care.

Purpose, types, and duration of Visa

Visas are for **entry** and **transit**, and have three types including **single-entry**, **double-entry**, and **multiple-entry** visas. **Entry visas** are issued to (1) **temporary visitors**¹, (2) **residents for private purposes**², and (2) residents for official purposes.

Duration of stay of temporary visitors in Mongolia cannot exceed 180 days in a given year. Otherwise, such visitors must obtain **a residence permit**.

No	Types of visas	Valid period /the period from the date of issuance of the visa to the entry into Mongolia	Stay period /the period of stay in Mongolia after entering the country/
1.	Single and double "entry" visa	150 days	Up to 90 days
2.	Multiple entry visa	183 or 365 days	30 days

Issuance of visa and visa permit

A visa permit for **investment, work**, and **temporary visit** purpose is issued by the State administrative body in charge of foreign nationals or the "Immigration Agency of Mongolia" (hereinafter the "IAM"). Applicants must submit the following documents:

1. Request of the hosting citizen, business entity, or organization;
2. Copy of passport of the foreign national;
3. Permit issued by the competent state administrative body to a foreign national coming for work and investment purposes;
4. Copy of state registration certificate and license, if any;
5. Application form.

In addition to the above documents, the following document is required in case of applying for a visa permit for investment purpose:

- *A reference from the administrative or police authority of the home country, and account statement for the last 6 months.*

¹ Foreign nationals who are visiting Mongolia for up to 90 days.

² Foreign nationals who came to reside for the purposes of studying, **working, investment**, family and other private purposes, and their related persons.

In case of applying for multiple entry visa and visa permit, the following documents are additionally required:

- Agreement made with the host business entity or organization;
- Documents that evidence the need for multiple-entry through a border point e.g. reference from the state administrative body in charge of customs clearance and taxation.

Applicants may apply for visa at the Mongolian Diplomatic Missions abroad and border points of Mongolia. The following documents shall be submitted:

1. Passport;
2. 1 copy of 3.5 cm x 4.5 cm photo;
3. Application form;
4. Visa permit and private invitation issued by the competent authority to issue visa;
5. Official letter, if required;
6. Payment receipt of visa fee.

The valid period of visa permit has been changed to 60 days from the date of issuance.

Electronic visa

- The following classifications of visas are available to obtain online:
 1. K2 or tourist visa;
 2. K4 or visa for foreign nationals coming to participate in cultural, art and sports competitions and events, to make movies and content;
 3. K6 or transit visa.
- Online visa applicants shall complete the application form, and upload required documents e.g. passport copy, photo, etc., to the relevant system. The application shall be resolved within 3 days.

Refusal or revocation of visas and visa permits

- New grounds to refuse to issue visa and visa permits are specified. For instance:
 1. It is found that required documents are not submitted, documents are forged, or declared false information;
 2. There is no ground to issue visa and visa permit;
 3. Host citizen, business entity or organization has failed to comply with obligations under the law;
 4. There is a written opinion of the competent authority.
- Visa and visa permit shall be revoked upon the following grounds:
 1. There are legal grounds that prohibit to enter Mongolia;
 2. There is a justifiable request by the host;
 3. There is a written opinion of the competent authority;
 4. Visa page is corrected, entry is incorrect;
 5. Deportation on expiration;
 6. Visa was issued without permission of the competent authority;

7. It is found that visa has been obtained upon forged documents and false declaration;
 8. Proposal and opinion of state inspector of foreign nationals.
- Resubmission term has been changed as follows:
1. Applicants can apply after 180 days in the following cases:
 - It is found that required documents are forged, and declared false information; and
 - It is refused to issue or revoked visa and visa permit upon the above ground.
 2. If it is refused to issue or revoked visa and visa permit upon other grounds, applicants can resubmit after 30 days.

If foreign nationals, hosts, and employers have repeatedly violated the Law on the Legal Status of Foreign Nationals, it shall be refused to issue visa and visa permit.

Extension of duration of stay in Mongolia

- Temporary visitors shall submit their request to extend the duration of stay in Mongolia along with the following documents at least 5 business days before the expiration:
1. Passport;
 2. Request of the host, if applicable;
 3. Application form.
- In case foreign nationals are imposed sanctions under the Law on Infringement due to violation of the Law on the Legal Status of Foreign Nationals, the duration of stay under their visa shall not be extended.

Other

- Application for issuance and extension of visa and visa permit shall be resolved within 5 business days, or within 3 business days in case of emergency.
- Passport must be valid for at least 180 days when applying for a visa or visa permit.

II. Reside in Mongolia

Foreign nationals to reside in Mongolia for private purposes such as investment /B/ or work /C/ shall apply for a residence permit **within 21 days from entry to Mongolia**. Temporary visitors may also apply for a residence permit in accordance with their visa category within the same period specified above.

Required documents:

1. Official letter or request on a residence permit from a citizen, business entity, or organization (hereinafter the "Host") who has invited a foreign national or who has undertaken the rights and obligations of a host;
2. Reference on residence address from a government of the relevant soum or khoroo;
3. Passport, passport copy;

4. Marriage, birth, or adoption certificate, or their apostilled or consular certified copies, and proof of cohabitant, and their certified translation, in case of applying for a residence permit for related persons;
5. Application form;
6. 1 copy of 3.5 cm x 4.5 cm photo.

In addition to the above, the following actions may be required, if necessary:

1. To conduct medical examination;
2. To hold conversation.

Types of residence permit	Applicable persons	Duration of permit	Additional documents
Investment	Investor of foreign investment company	<ul style="list-style-type: none"> ➤ Up to 1 year for the first time ➤ Every 3 year extension 	➤ <u>Tax reference</u>
	<ul style="list-style-type: none"> ➤ Foreign nationals appointed as the representative of the investor and executive director of foreign investment company; ➤ Foreign nationals to work as a director of Representative Office of foreign legal entities. 	<ul style="list-style-type: none"> ➤ Up to 1 year ➤ Annual extension 	
<p>Criterion for issuing residence permit for foreign nationals to reside for investment purpose:</p> <ul style="list-style-type: none"> ➤ Request of the State administrative body in charge of investment and its authorized body; ➤ Employment of Mongolian citizens; ➤ Tax payment; ➤ Stability of business; ➤ State registration certificate;; ➤ Opinion of state inspector of foreign nationals, if required. 			
Work	➤ Foreign nationals with work permit	<ul style="list-style-type: none"> ➤ Up to 1 year ➤ Annual extension 	➤ Work permit
Temporary visit	<p>The following types of residence permits may be issued to temporary visitors for business purpose:</p> <ul style="list-style-type: none"> ➤ B1; ➤ B2; ➤ B3; ➤ Foreign nationals to conduct activities in innovation, and to do research works /E5/. 		

Issuance and extension of a residence permit shall be resolved within 5 business days. In case of refusal to issue or extend the residence permit, the respective

foreign national shall leave Mongolia voluntarily within 10 days from the issuance of such decision.

Deregistration of a residence permit

In case of permanent departure from Mongolia, no return during the duration of the residence permit, or change of form and type of residence, the respective foreign national and his/her related persons should return their residence cards to the authority issuing such permit and deregister it. As well, they should leave Mongolia within 10 days from the date of expiration of the residence permit.

Host of the foreign national shall immediately notify the competent authority for issuing a residence permit of the following cases:

1. Residence form and type is changed;
2. The foreign national changed, left, or dismissed from his/her position or workplace;
3. The foreign national violated legislation;
4. The foreign national is dead or has gone missing.

III. State stamp duty, visa fee

	Types of services	Amount
1.	Issuance of residence permit for official and private purposes in Mongolia	120 000 MNT (app USD 42.1)
2.	Issuance and replacement of residence card in Mongolia	15 000 MNT (app USD 5.2)
3.	Extension of residence permit for official and private purposes in Mongolia	72 000 MNT (app USD 25.2)
4.	Keeping basic record for foreign nationals and issuance of registration number	3 000 MNT (app USD 1.05)
5.	Make changes to residence cards including changes in residence address and other entries	2 500 MNT per case (app USD 0.8)
6.	Issuance of invitation for private purposes	10 000 MNT (app USD 3.5)
7.	Issuance of reference for foreign nationals	2 500 MNT (app USD 0.8)
8.	Issuance of residence cards and travel cards	36 000 MNT (app USD 12.6)
9.	Issuance of visa permit	2 500 MNT (app USD 0.8)
10.	Issuance of single entry visa	45 USD
11.	Issuance of double entry visa	60 USD

12.	Issuance of multiple entry visa for six months	100 USD
13.	Issuance of multiple entry visa for six months to one year	200 USD
14.	Extension of visa for up to seven days	40 000 MNT (app USD 14) 5 600 MNT (app USD 1.9) for the following days
15.	Change of visa classification	36 000 MNT (app USD 12.6)
16.	Provision of visa services specified in 10-13	5 USD
17.	Provision of services specified in 1-16 in emergency situation or at border points	The fee shall double
18.	Registration of non-overlapping data (fingerprints)	5 USD

Sources:

1. *The Law on the Legal Status of Foreign Nationals (2010):*
<https://legalinfo.mn/main/detail/211>
2. *Visa Issuance Procedure of Mongolia (2021):*
<https://legalinfo.mn/main/detail/16230721355601>
3. *Procedure for Residence of Foreign Nationals in Mongolia and their Registration (2021):* <https://legalinfo.mn/main/detail/16230721395541>
4. *State stamp duty, visa service fee (2021):*
<https://legalinfo.mn/main/detail/16231084392271>

For more information or any queries, please feel free to contact V.Bolormaa, Partner, and T.Buyanjargal, Lawyer, of GRATA International Law Firm by bvolodya@gratanet.com, btungalag@gratanet.com or +976 70155031.