



**INVESTMENT AND
TRADE AGENCY**



**LAW ON THE
CIVIL SERVICE**

Amended version
as of 16 June 2023



LAW OF MONGOLIA ON THE CIVIL SERVICE

7 December, 2017.

Ulaanbaatar city.

PART 1. CIVIL SERVICE

CHAPTER ONE. GENERAL PROVISIONS

Article 1. Purpose of this law

1.1. The purpose of this law is to establish the legal basis for ensuring a professional, sustainable, transparent and responsible civil service, and to regulate relations concerning the central civil service authority and defining the legal status of civil servants and their social security entitlements.

Article 2. Legislation on the Civil Service

2.1. Legislation on the civil service shall consist of the Constitution of Mongolia, this law and other legislative acts passed in conformity therewith.

Article 3. Definitions

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

- 3.1.1. '*civil service*' shall mean activities, structures and arrangements to implement state goals and functions within the scope of the Constitution of Mongolia and other legislation, to develop state policies and provide to the public necessary services to be provided by the state;
- 3.1.2. '*civil servant*' shall mean a person holding a public position, paid a salary from the state for performing public duties, and provided with relevant work conditions and social benefits;
- 3.1.3. '*merit*' shall mean a set of qualifications, including knowledge, education, profession, specialization, skills, experiences and performance outcomes, used as the basis for making decisions on selection, appointment, and resignation of candidates for public positions, and for performance appraisal, promotion and reward of civil servants;
- 3.1.4. '*vacant position*' shall mean a position vacated by the civil servant due to demotion or dismissal from the civil service; or being transferred or appointed to another position; or being deceased;
- 3.1.5. '*job position description*' shall mean a document which formalizes the key functions of the given position, and qualifications required from the civil servant to deliver related tasks, including education, profession and specialization, experiences and skills.

Article 4. Scope of this law

- 4.1. The legal status of civil servants holding politically-appointed positions shall be defined by laws, and related provisions of this law applied accordingly, unless otherwise provided differently in other laws.
- 4.2. The legal status of core civil servants shall be established by this law and other legislative acts.
- 4.3. The legal status of public support service employees shall be established by the Labor Law, this law and other legislative acts.

- 4.4. Other issues related to labor relations of civil servants which are not regulated by this law, shall be regulated by the Labor Law and other laws.
- 4.5. Relations related to pensions and benefits of civil servants shall be regulated by this law, the Law on pensions provided by the Social Insurance Fund, and the Law on pensions and benefits of military personnel.
/In this paragraph, the term "Law on pensions and benefits provided by the Social Insurance Fund" was changed to "Law on Pensions provided by the Social Insurance Fund" by the law dated July 7, 2023, and will be enforced from January 1, 2024/
- 4.6. Issues related to appointment and dismissal of judges of the Constitutional Court and of judges of all levels of courts shall be regulated by relevant laws.
- 4.7. The salary of the civil servant, the amount of salary and the network of positions shall be determined in accordance with the procedure specified in this law in accordance with Article 9.2 of this law.
/This paragraph was added by the law dated June 16, 2023 and will be enforced from January 1, 2025/

CHAPTER TWO. MISSION STATEMENT, CLASSIFICATION, PRINCIPLES, STANDARDS AND FINANCING OF THE CIVIL SERVICE

Article 5. Mission of the civil service

- 5.1. The mission of the civil service shall be to aim to enforce the Constitution of Mongolia and other laws, while upholding fundamental national interests, and serving the public and the state with the utmost loyalty.

Article 6. Classification of the civil service

- 6.1. The civil service shall be classified in the following way:
 - 6.1.1. political service;
 - 6.1.2. public administration;
 - 6.1.3. special state service;
 - 6.1.4. public support service.
- 6.2. Positions specified in Sections 6.1.2 and 6.1.3 of this law shall be considered as core public administration positions.

Article 7. Principles of the civil service

- 7.1. In addition to the principles of *democracy, justice, freedom, equality, national unity and rule of law* as stipulated in Paragraph 1.2 of the Constitution of Mongolia, the following principles shall be followed within the civil service:
 - 7.1.1. serve the public;
 - 7.1.2. maintain professionalism and sustainability;
 - 7.1.3. civil servants other than politically-appointed civil servants, shall refrain from activities of political parties and coalitions;
 - 7.1.4. provide Mongolian citizens with equal opportunities to work in the civil service;
 - 7.1.5. recruit/appoint core civil servants based on merit only;
 - 7.1.8. be transparent;
 - 7.1.7. avoid conflict of interests;
 - 7.1.8. adhere to hierarchical superiority.

Article 8. Standards of the civil service

- 8.1. Standards of the civil service shall aim to manage the civil service effectively, and to organize activities of public institutions and the civil service optimally.
- 8.2. Standards of the civil service shall establish the management requirements aimed to ensure public institutions perform their functions and civil servants perform to the full power of their assigned positions, and improve efficiency and impact of the civil service.
- 8.3. Standards of the civil service shall be developed, approved and complied with, in accordance with the Law on Standardization, technical regulations and conformity

assessments.

Article 9. Financing of the civil service

- 9.1. Costs of the civil service shall be funded from the state budget.
- 9.2. State actions aimed to reduce costs of the civil service shall not become the basis to cut and suspend salary and wages, compensations and allowances, pensions and benefits, and other payments temporarily or permanently.
- 9.3. Monitoring of the financing of the civil service and utilization of budget assets of public institutions shall be implemented in accordance with legislation on the state budget and state auditing.

CHAPTER THREE. CLASSIFICATION AND CATEGORIES OF PUBLIC POSITIONS, PERSONAL PROFILE OF CIVIL SERVANTS, AND REGISTRATION DATABASE

Article 10. Classification and categories of public positions

- 10.1. Civil service shall be classified in the following way:
 - 10.1.1. politically-appointed positions;
 - 10.1.2. public administration positions;
 - 10.1.3. special state service positions;
 - 10.1.4. public service positions.
- 10.2. Public positions shall have types, including administrative, executive and assistant positions.
- 10.3. Positions specified in Sections 10.1.2 and 10.1.3 of this law shall be considered as core public administration positions.
- 10.4. The Government shall approve the list of types of management, executive and assistant positions specified in Sections 10.1.2 and 10.1.4 of this law, based on proposals by the central civil service authority.

Article 11. Politically-appointed public positions

- 11.1. Politically-appointed public positions include positions subject to selection in accordance with criteria established under the Constitution of Mongolia and other laws, positions subject to appointment as a result of such elections; and on-staff support positions to help political appointees during his/her term of office:
 - 11.1.1. President of Mongolia;
 - 11.1.2. Chairman of the Mongolian State Great Khural;
 - 11.1.3. Prime Minister of Mongolia;
 - 11.1.4. Deputy Chairman and member of the Mongolian State Great Khural;
 - 11.1.5. Members of the Government of Mongolia;
 - 11.1.6. Chairman of the Office of the President of Mongolia;
 - 11.1.7. Chairman and vice chairman of the Secretariat of the Government/Cabinet;
 - 11.1.8. Advisor to the President of Mongolia, advisor to the Chairman of the Mongolian State Great Khural, and advisor to the Prime Minister;
 - 11.1.9. Governors and of all levels and deputy governors of provinces, soums, capitals and districts;
/This sub-paragraph was amended by the law dated April 22, 2022/
 - 11.1.10. advisors, assistants and spokespersons supporting politically-appointed public officials during his/her term of office;
 - 11.1.11. positions of the secretariats serving the party and coalition caucuses in the State Great Khural;
 - 11.1.12. other positions provided in relevant laws.
- 11.2. The job positions of the Chairman of the Citizens Representative Council of the provinces, soums, the capital city and districts, and the mayor of a town or village can be considered similar to the political position of the state.
/This paragraph was amended by the law dated April 22, 2022/

- 11.3. On-staff advisors, assistants and spokespersons recruited to help a politically-appointed civil servant during his/her office term, shall be directly supervised by him/her, and affiliated to the respective public institutions as civil servants.

Article 12. Public administration positions

- 12.1. Public administration positions shall include the following positions performing functions to provide professional advice for developing state policies and public administration to manage and implement such policies:
- 12.1.1. Civil Service Council chairman and members, management and executive positions of its Secretariat;
 - 12.1.2. Management and executive positions in the office of the State Great Khural, the President, the Government, the Constitutional Court, the office of the General Council of the Court and the Court Disciplinary Committee, the Office of the Court at all levels, other judicial administrative organizations, and the prosecutor's office;
/This sub-paragraph was amended by the law dated January 15, 2021/
 - 12.1.3. management and executive positions of secretariats of the Financial Regulatory Commission, the National Statistics Committee, the General Election Commission and the National Human Rights Commission;
 - 12.1.4. management and executive positions of secretariats of the National Security Council;
 - 12.1.5. state secretary of a ministry, management and executive positions of ministries;
 - 12.1.6. management and executive positions of government agencies, if not otherwise provided in laws; secretary of aimag/capital, city/soum/district Citizens' Representatives' Khurals; management and executive positions of secretariats of aimags.
 - 12.1.7. secretaries of the Citizens Representative Council of the provinces, soums, the capital city and districts, management and executive positions of Citizens Representative Council and Governors' offices of the provinces, soums, the capital city and districts;
/This sub-paragraph was amended by the law dated April 22, 2022/
 - 12.1.8. management and executive positions of local municipality agencies under aimag or capital city governors, financed from the State budget, if not otherwise provided in laws;
 - 12.1.9. management and executive positions of secretariats of town and village mayors;
 - 12.1.10. other positions provided in laws.

Article 13. Special state service

- 13.1. Special state service includes the following positions, to perform special state functions related to ensuring national and public security, and keeping social order and the rule of law:
- 13.1.1. Judges of the Constitutional Court, judges of all levels of courts and prosecutors;
 - 13.1.2. Secretary of the National Security Council;
 - 13.1.3. the President, First Vice-President and Deputy President of the Mongolbank, Chairman and full-time member of the Financial Regulatory Commission, Chairman and Deputy Chairman of the National Statistics Commission, Chairman and Secretary of the General Election Commission, Chairman and member of the National Human Rights Commission, Member in charge of the prevention of torture, Chairman and member of the General Judicial Council and Judicial Disciplinary Committee, management and executive positions of National and Local Audit Offices and Anti-Corruption Agency;
/Addendum was made to this sub-paragraph by the law dated January 15, 2021/
 - 13.1.4. management of the armed forces, border and internal forces, emergency services, intelligence, state special protection, immigration, police, court decision enforcement, and forensic investigation organizations;
/Addendum was made to this sub-paragraph by the law dated December 23, 2022/

/In this sub-paragraph, after the term "state special protection," "immigration" addendum was made by the law dated January 6, 2023/

13.1.5. diplomatic service positions;

13.1.6. officers, sergeants and bailiffs, customs inspectors and forensic experts, specialists and civil servant of the immigration agency of the armed forces, border and army troops, emergency, intelligence, police, case-filing, investigation, court decision enforcement and forensic investigation organizations;

/Addendum was made to this sub-paragraph by the law dated December 23, 2022/

/In this sub-paragraph, after the term "experts and specialist," "employee of the immigration agency" addendum was made by the law dated January 6, 2023/

13.1.7. other positions provided in laws.

Article 14. Public support service positions

14.1. Public service positions shall include the following job positions with functions to deliver quality, accessible and equitable public services and to facilitate normal operations of public institutions, based on employment under the Labor Law:

14.1.1. job positions to facilitate normal operations of public institutions;

14.1.2. job positions including chairman, director, principal, other management, executive and support staff of public service institutions, such as education, science, health, culture, arts and sports services, financed from the state budget;

14.1.3. job positions including management, executive and support staff of public service institutions affiliated to and under a ministry or agency, financed from the state budget.

Article 15. Personal profiles of civil servants

15.1. The personal profile of civil servants (hereinafter '*personal file*') consists of civil servant's surname, father's (or mother's) name, given name, job position, and work performance related information.

15.2. Every civil servant shall have a unique personal profile.

15.3. The procedure for recording personal profiles shall be approved by the central civil service authority.

Article 16. National integrated registration of civil servants

16.1. The civil service authority shall manage the national integrated registration database of civil servants which reflects past and present civil servants' employment records and the roster of reserve personnel for high-level public positions provided in Sections 10.1.2 and 10.1.4 of this law.

16.2. The Government shall approve the procedure for managing the integrated registration database of civil servants, including the retrieving of information.

16.3. The roster of reserve personnel for management positions, as provided in Paragraph 16.1 of this law, shall record former officials who served high-level public positions or similar job positions.

CHAPTER FOUR. RANKS OF TOP MANAGEMENT PUBLIC OFFICIALS, CLASSIFICATION AND GRADES OF OTHER PUBLIC ADMINISTRATION OFFICERS, AND RANKS OF CORE CIVIL SERVANTS

Article 17. Ranks of high-level public officials

17.1. The State Great Khural shall approve the ranks of high-level public officials and the grades of equivalent government officials, based on proposals by the central civil service authority.

Article 18. Classification and grades of public administration officers

18.1. Public administration positions shall have the following classification types:

18.1.1. top manager;

18.1.2. executive manager;

- 18.1.3. senior manager;
- 18.1.4. associate manager;
- 18.1.5. assistant manager.
- 18.2. The category of '*top manager*' includes the position of state secretary of ministries and other comparable positions.
- 18.3. The category of '*executive manager*' includes positions of directors of ministerial departments and divisions and other comparable positions.
- 18.4. The category of '*senior manager*' includes positions of unit heads, senior experts and experts of ministries and other comparable positions.
- 18.5. The category of '*associate manager*' includes positions of senior specialist, specialist and senior supervisor and other comparable positions.
- 18.6. The category of '*assistant manager*' includes positions of supervisor of ministries and other comparable positions.
- 18.7. The classification and ranking of administrative and executive positions of the State Great Khural, the President, the Government, the Supreme Court, the Constitutional Court, the Prosecutor General's Office, the National Human Rights Commission, the Civil Service Council, the National Security Council, the General Election Commission, the Financial Regulatory Commission, the National Statistics Commission, the Judicial General Council and the Judicial Disciplinary Committee shall be determined by the State Great Khural based on the proposal of the civil service central authority.
/This paragraph was amended by the law dated January 15, 2021/
- 18.8. The Government shall approve the classification and grades of public administration positions of ministries and other government institutions based on proposals by the central civil service authority.

Article 19. Classification, grades and ranks of special state services

- 19.1. Classification, grades and ranks of special state service shall be established in accordance with relevant legislation.
- 19.2. The list of job positions of the state special services to be treated as positions in the category of the state administration service specified in paragraph 18.1 of this law shall be approved by the state central service authority based on the Government's proposal.
/This paragraph was added by the law dated July 5, 2022/

Article 20. Grades of special state services

- 20.1. The Government shall approve the grades of special state services based on the proposals submitted by the central civil service authority.
- 20.2. The list of managing positions of the state support service to be treated as positions in the category of the state administration service, as specified in paragraph 18.1 of this law, shall be approved by the state central service authority based on the Government's proposal.
/This section was added by the law dated July 5, 2022/

Article 21. Ranks of public administration positions

- 21.1. Public administration positions, including chief officers, executive officers, senior officers, associate officers and assistant officers, shall each have ranks such as first, second, third and fourth levels.
- 21.2. Ranks specified in Paragraph 21.1 of this law shall be provided by the following officials:
 - 21.2.1. the rank of top manager to be issued by the President of Mongolia;
 - 21.2.2. the rank of executive manager to be issued by the Prime Minister of Mongolia;
 - 21.2.3. the rank of senior, associate and assistant managers to be issued by a minister of Mongolia, aimag and capital city governors, and other high-level officials of government institutions;
- 21.3. When assigning ranks, the duration of employment in the public sector or the given position, performance outcomes and qualifications shall be duly considered.
- 21.4. The State Great Khural shall approve the procedure for awarding ranks of public administration positions and providing respective rank remunerations based on proposals developed by the central civil service authority and submitted by the Cabinet, unless

otherwise provided in laws.

- 21.5. Ranks of positions in some special public sectors may be established on the basis of proposals by the central authority of civil service in accordance with relevant laws.

PART 2. REQUIREMENTS FOR RECRUITING PUBLIC POSITIONS, APPOINTMENT PROCEDURES FOR PUBLIC POSITIONS, AND THE CIVIL SERVICE ENTRY EXAMINATION

CHAPTER FIVE. REQUIREMENTS FOR RECRUITING CIVIL SERVANTS

Article 22. Generic requirements for recruitment to core civil service positions

- 22.1. Unless otherwise specified in laws, citizens who satisfy the following generic requirements shall be appointed to core civil service positions:

- 22.1.1. be a citizen of Mongolia
- 22.1.2. have higher education;

Note: The requirement provided in Section 22.1.2 shall not apply to assistants' positions stated in Paragraph 10.2 of this law.

- 22.1.3. have no criminal record of being prosecuted by a court for corruption and power abuse offences specified in the Criminal Code;
- 22.1.4. have relevant spoken and written Mongolian language skills;
- 22.1.5. have no mental illnesses or impairments;
- 22.1.6. not being released from the civil service on the grounds specified in sub-paragraphs 46.2.2 and 46.2.3 of this law;

/This sub-paragraph was added by the law of November 11, 2022/

- 22.1.7. a citizen who is obliged to perform military service according to the law must have fulfilled his duty.

/The numbering of this sub-paragraph was amended by the law of November 11, 2022/

Commentary: Citizens who reached 18 years of age before June 3, 2008, as well as those who did not pass a medical examination or were temporarily or permanently released from active military service on other grounds specified in the law, are not subject to the requirements specified in sub-paragraph 22.1.7 of this law.

/This commentary was added by the law of November 11, 2022/

Article 23. Special requirements of recruitment for civil service positions

- 23.1. Special requirements of recruitment for political office and special state services shall be established in accordance with relevant laws.

- 23.2. Citizens who have satisfied the following special requirements and the generic recruitment requirements specified in Paragraph 22.1 of this law, shall be appointed to the following public administration positions, unless otherwise provided in laws:

- 23.2.1. If appointed to a position belonging to the category of chief official, at least 12 years in the civil service, must have worked in the executive official position for at least 6 years, and have attended and completed a set of qualification courses;

/This sub-paragraph was amended by the law dated July 5, 2022/

- 23.2.2. If appointed to a position belonging to the category of executive official, must have worked in the civil service for at least 8 years, of which at least 4 years were spent as a senior official, and must have attended and completed a set of qualification courses;

/This sub-paragraph was amended by the law dated July 5, 2022/

- 23.2.3. If appointed to a position belonging to the category of senior official, must have worked in the civil service for at least 6 years, of which at least 3 years were spent as an associate official, and must have completed a set of qualification courses.

/This sub-paragraph was amended by the law dated July 5, 2022/

- 23.3. The period of service in the position specified in paragraph 11.1 of this law can be considered as equivalent to the period of service in the appropriate category of positions in the state administration service.
/This paragraph was added by the law dated July 5, 2022/
- 23.4. The Government shall approve the procedure for equating the period specified in paragraph 23.3 of this Law to the period of service in positions belonging to the category of positions in the state administration service based on the proposal of the central civil service authority.
/This paragraph was added by the law dated July 5, 2022/
- 23.5. Unless otherwise provided by law, the civil service central authority shall approve the special requirements and the general procedures for developing job descriptions for management and executive positions in the core civil service.
/This numbering of this paragraph was amended by the law dated July 5, 2022/
- 23.6. The description of the position in the state administration service shall be developed in accordance with the procedure specified in paragraph 23.5 of this law, and approved by the person authorized to appoint the employee based on the approval of the civil service central authority.
/This numbering of this paragraph was amended by the law dated July 5, 2022/
- 23.7. It is prohibited to make changes to the special requirements and job descriptions specified in paragraph 23.5 of this law, unless that organization's functions are changed by legislation.
/This numbering of this paragraph was amended by the law dated July 5, 2022/
- 23.8. In accordance with the law, the person elected or appointed to the position of declaring personal interests, assets, and income shall take the measures specified in paragraph 101.4 of the Law on Regulation of Public and Private Interests and Prevention of Conflict of Interest in Civil Service.
/This numbering of this paragraph was amended by the law dated July 5, 2022/

Article 24. Package qualifications trainings

- 24.1. The content and program of package qualifications trainings shall be approved jointly by the central civil service authority and the Government in consideration with specific features, responsible tasks and functions of given job positions.
- 24.2. Package qualifications trainings shall be organized by the civil service training institution affiliated to the Government.

CHAPTER SIX. RECRUITMENT PROCEDURE FOR CORE CIVIL SERVICE POSITIONS

Article 25. Generic procedure for recruitment to core civil service positions

- 25.1. Mongolian citizens who meet requirements established in this law shall be selected and recruited for core civil service positions, unless otherwise provided in laws.

Article 26. Basic appointment criteria for civil service positions

- 26.1. Recruitment to civil service positions shall follow the merit-based selection principle as provided in Section 3.1.3 of this law, in order to appoint the best candidate who met the basic criteria.
- 26.2. If candidates meet both special generic requirements specified in Paragraph 22.1 and special requirements specified in Article 23, he/she shall be deemed to have satisfied criteria provided in Paragraph 26.1 of this law.
- 26.3. In the case if the civil servant who met 50% of special requirement of employment duration stated in Paragraph 23.2 of this law, may be promoted before the required date, based on work performance results, qualifications level, ethics, knowledge, profession and

- specialization, experiences and skills.
- 26.4. Regulation for tier-based promotion in the civil service shall be approved by the central civil service authority based on recommendation by the Government. This regulation shall be applied to tier-based promotion in the civil service.

Article 27. Selection and recruitment for core civil service positions

- 27.1. In the case of a vacant position being opened, the authorized official shall fill the position in accordance with the following procedure, unless otherwise provided in laws:
- 27.1.1. in the event of a vacancy in the management position of the core civil service, from civil servants working in state organizations according to the principle of merit promotion, and from citizens who are in the reserve of managing officials specified in paragraph 16.1 of this law;
/This sub-paragraph was amended by the law dated July 5, 2022/
- 27.1.2. in case of vacancies for executive and assistant official in the core civil service, from the civil servant working in that organization and from the civil servants working in other relevant state organizations;
/This sub-paragraph was amended by the law dated July 5, 2022/
- 27.1.3. If the vacancies in the executive and assistant positions of the core civil service cannot be filled in accordance with sub-paragraph 27.1.2 of this law by citizens who are in the reserve of civil servants;
/This sub-paragraph was amended by the law dated July 5, 2022/
- 27.1.4. */This sub-paragraph was revoked by the law of July 5, 2022/*
- 27.2. The authorized institution or official responsible for appointment shall inform the public in the cases of vacant positions opened in core civil service. The authorized institution or official responsible for appointment shall send the request for organizing open competitive selection to the civil service agency of the respective level within the 21 days of the position being vacated.
- 27.3. The authorized official responsible for appointment shall appoint the candidate nominated by the central civil service authority upon incurred cases as provided in Paragraph 27.1 of this law. The authorized official responsible for appointment may refuse only once to appoint the candidate to the vacant core civil service position, and in this case the central civil service authority shall nominate a different candidate in accordance with the relevant procedure in place.

Article 28. Duration of appointment for core civil service positions

- 28.1. Duration of appointment shall not be specified in the case of recruitment for core civil service positions.
- 28.2. The office term of the newly-appointed civil servant for a civil service position with the specified office term by laws shall be equal to the remaining period of the office term of the preceding civil servant.
- 28.3. A probationary period of 6-12 months may be applied for new entrants recruited for core civil service positions.
- 28.4. The probation period performed in core civil service positions shall be included within the overall employment years worked in the civil service.
- 28.5. The central civil service authority shall approve the conditions and procedures for applying the probationary period for public administration positions.

Article 29. On-the-job training for managerial positions

- 29.1. After appointment for a civil service position, the appointed individual shall be provided short- and medium-term trainings.
- 29.2. Trainings stated in Paragraph 29.1 of this law shall be organized by the civil service training institution affiliated under the Government.
- 29.3. The content and program of trainings stated in Paragraph 29.1 of this law, shall be

approved by the Government based on proposals by the central civil service authority.

Article 30. Monitoring of recruitment processes for core civil servants

- 30.1. The central civil service authority carries out monitoring and inspections over recruitment processes, based on its own decisions or complaints and information delivered by individuals, unless otherwise provided in laws.
- 30.2. In the case where monitoring and inspections stated in Paragraph 30.1 of this law have revealed breaches of legislation during selection and appointment processes of civil servants, the relevant rectification order and tasks shall be issued and ensured due implementation.
- 30.3. if rectification orders and tasks stated in Paragraph 30.2 of this law are not implemented, the central civil service authority shall revoke the decision which violated the laws and regulations.

Article 31. Prohibited actions

- 31.1. Recruitment of core civil servants shall be prohibited in the following cases, unless otherwise provided in laws:
 - 31.1.1. requirements provided in Articles 22 and 23 of this law are not satisfied;
 - 31.1.2. candidate's temporary suspension from the civil service imposed due to disciplinary actions, justifications provided in laws or relevant procedures have not expired, or temporary suspension from holding public administration positions for a certain period of time have not expired yet;
 - 31.1.3. in the case of a civil servant and his/her related individual will work together in the same unit where one of their positions directly supervises the other directly or vice versa, unless permitted by relevant legislative acts;
 - 31.1.4. other cases specified in legislative acts.
- 31.2. In accordance with this law, the selection and appointment of civil servants shall not be influenced, pressured and coerced in any form by any third parties, including the President, the Chairman of the State Great Khural, general budget governor, political appointees, managerial and executive officials of political parties and coalitions and other individuals.
- 31.3. Any illegal actions related to recruitment/appointment of civil servant, such as producing forged references, certificates and verifications related to recruitment, shall be strictly prohibited.
- 31.4. In case an individual has satisfied requirements for a certain civil service position, his/her right to serve in the civil service shall not be discriminated based on ethnicity, race, age, gender, social background and status, wealth, employment, job position, religion, viewpoints or affiliation to parties, public or other organization.

Article 32. Liabilities

- 32.1. The central civil service authority shall revoke an illegal decision which violated Articles 22, 23, 26, 27, 28 and 31 of this law, and send notification proposing the resignation of the guilty employee to the authorized official, unless otherwise provided in laws.
- 32.2. The authorized official shall comply with the notification stated in Paragraph 32.1 of this law and inform upon the actions within 14 days.
- 32.3. In case the State Secretary of a ministry, the chairman of a Government agency and other positions appointed by the Government are appointed illegally by violating provisions of Article 26 of this law, the Government shall revoke the relevant decision within 14 days.
- 32.4. In the case of politically-appointed officials, political party and coalition leaders and executives and other individuals influence the appointment processes of filling public positions, the core civil servant or applicant for a core civil service position may make records about the incidents and submit the relevant evidence to the central civil service authority within 30 days.
- 32.5. The central civil service authority shall review the records stated in Paragraph 32.4 of this law and revoke the related decision accordingly, if not otherwise provided in laws.

- 32.6. In the case a political appointee violating Paragraphs 31.2 and 32.2 of this law, it shall become the basis for him/her resigning.
- 32.7. In case Paragraphs 32.1 and 32.2 of this law are violated, it shall become the basis for the guilty official resigning from his/her position.

interview

CHAPTER SEVEN. ENTRANCE EXAMINATION OF CORE CIVIL SERVICE

Article 33. Examination of core civil service

- 33.1. Civil service entrance examinations shall be organized with the purpose to create a reserve of recruits for public administration positions and to recruit candidates for vacant core civil service positions.
- 33.2. Unless otherwise provided by law, the civil service examination shall be of the following types:
/This paragraph was amended by the law dated July 5, 2022/
- 33.2.1. general examination;
- 33.2.2. special examination.
/This sub-paragraph was amended by the law dated July 5, 2022/
- 33.3. The general examination is conducted among citizens, civil servants of state support service, and political civil servants who meet the requirements set forth in paragraph 22.1 of this law, and the special examination shall be taken from citizens in the case of transitioning between the categories of the state administration positions set forth in paragraph 18.1 of this law, and the citizens in the specified reserve specified in sub-paragraphs 27.1.3 and 33.8 of this law.
/This paragraph was amended by the law dated July 5, 2022/
- 33.4. The general and special examination specified in paragraph 33.2 of this law shall be organized by the civil service central authority.
/This paragraph was amended by the law dated July 5, 2022/
- 33.5. Examinations of core civil service positions have types of tests, and others.
- 33.6. Entrance examinations of core civil service shall have the following contents:
- 33.6.1. to test management skills
- 33.6.2. to test analytical skills;
- 33.6.3. to test problem-solving skills;
- 33.6.4. to test leadership skills;
- 33.6.5. to test spoken and written Mongolian language skills
- 33.6.6. to test teamwork skills;
- 33.6.7. others.
- 33.7. The general core civil service examination will be held at least once per quarter.
/This paragraph was amended by the law dated July 5, 2022/
- 33.8. Individuals who pass the examination stated in Paragraph 33.7 of this law shall be registered in the roster of reserve core civil service personnel. The duration of registration in the roster shall last three years.
- 33.9. When organizing the special examination, the civil service central authority may establish an Examination Board consisting of representatives of related organizations, professional associations, scientists, and researchers.
/This paragraph was amended by the law dated July 5, 2022/
- 33.10. It will be announced to the public about taking the special civil service exam in mass media and on the website of the civil service central authority.
/This section was amended by the law dated July 5, 2022/
- 33.11. The central civil service authority may outsource the functions stated in Paragraph 33.7 of this law to non-governmental organizations based on contract agreements.
- 33.12. Unless otherwise provided by law, the core civil service examinations may be held electronically. The procedures for taking general and special civil service examinations

and the procedure for creating reserve for the core civil service shall be approved by the central civil service authority in consultation with the Government.

/This paragraph was amended by the law dated July 5, 2022/

Article 34. Prohibited actions

34.1. Any actions violating the procedure for organizing general and special examinations of core civil service positions, or producing fraudulent reference, certificate and verification shall be duly prohibited.

Article 35. Liabilities

35.1. A civil servant who violated Paragraph 34.1 and 35.2 of this law shall be suspended from the civil service for three years without appeal.

35.2. Individuals who violated the procedure for organizing examinations of core civil service positions shall not be re-elected to the Examination Council stated in Paragraph 33.9 of this law.

PART 3. CORE CIVIL SERVANTS' OATH OF OFFICE, COMMON FUNCTIONS, RESTRICTIONS AND CODE OF CONDUCT

CHAPTER EIGHT. CORE CIVIL SERVANTS' OATH OF OFFICE

Article 36. Oath of office of core civil servants

36.1. A citizen of Mongolia shall take the oath of office after being recruited in the civil service for the first time, as follows: *'I swear to devote my knowledge and skills for my Motherland and people of Mongolia, and abide by the Mongolian laws and ethics code, and perform public duties with dignity and loyalty for the fundamental national interests of my country. If I breach my oath, I shall be held accountable by law.'*

36.2. The President of Mongolia shall approve the procedure for making oath of office.

CHAPTER NINE. CIVIL SERVANTS' COMMON DUTIES, RIGHTS, AND PROHIBITIONS

/The title of this chapter was amended by the law of July 2, 2021/

Article 37. Common Duties of Civil Servants

/The paragraph was amended by the law of July 2, 2021/

37.1. Core civil servants shall have the following generic duties:

37.1.1. respect and enforce the Constitution of Mongolia and other laws;

37.1.2. keep the oath of office, respect the public interests and avoid conflicts of interest, and ensure zero tolerance of illegal and unjust actions.

37.1.3. perform public duties within assigned powers by upholding national interests of the motherland and public well-being, and respecting citizens' dignity, reputations and legitimate interests.

37.1.4. civil servants, except political appointees, shall not participate in activities of any political parties, coalitions or movements during his/her office term.

37.1.5. in case a civil servant is a member of any political party, he/she shall be suspended of his/her membership and notify it to the affiliated political party within seven days of his/her appointment to the public position.

37.1.6. implement only legitimate decisions by higher-echelon supervisory officials';

37.1.7. abide by civil servants' code of conduct, organizational culture and order, and uphold the reputation of the civil service;

37.1.8. develop professional knowledge and skills continuously, and be fully accountable for work performance and results;

37.1.9. during the performance of official duties and during the period after ceasing to hold that position, to strictly store state and official secrets, organizational secrets, and sensitive personal information, not to use it for personal or other interests, and not to distribute any official information without the permission of an authorized official;

/The sub-paragraph was amended by the law of December 17, 2021/

- 37.1.10. avoid any political interventions and keep neutral when performing the full power of his/her job position, and to express only formal viewpoints in relation to state and government affairs through the mass and print media.
- 37.1.11. submit the declaration of interests, income and assets in accordance with relevant laws;
- 37.1.12. deliver high quality and inclusive public services within a timely and cultured manner, and to avoid discrimination within delivery of public services;
- 37.1.13. ensure implementation of goals, objectives and functions specified in his/her job description;
- 37.1.14. warn in advance about negative consequences of decisions by higher-echelon officials regardless of agreeing or disagreeing with their viewpoints;
- 37.1.15. provide higher-echelon supervisory officials with evidence-based, justifiable and accurate information and recommendations useful for developing state policies, resolving issues and making decisions.
- 37.1.16. utilize office hours efficiently in accordance with the Labor Law and the internal labor procedure of the institution;
- 37.1.17. avoid performing other jobs or obligations if not otherwise permitted by laws;
- 37.1.18. other obligations provided in laws.

Article 38. Generic rights of civil servants

/The title of this article was amended by the law of July 2, 2021/

- 38.1. Civil servants shall exercise the following common rights:

/This paragraph was amended by the law of July 2, 2021/

- 38.1.1. to review formally the requirements for the position, work conditions and job description which determine functions and power of the job position, and to aspire to provide a favorable work environment;
- 38.1.2. to demand higher-level supervisory officials to evaluate performance results in compliance with this law, to accept and agree performance appraisal results;
- 38.1.3. to submit requests related to raising salary, upgrading position grades and improving work conditions and social security to the higher-level official in writing;
- 38.1.4. to view personal profiles, work performance references and related documents, and reflect additional explanations in one's own personal profile if necessary;
- 38.1.5. to access courts and other institutions to protect one's own legitimate interests;
- 38.1.6. to do teaching and research work;
- 38.1.7. to run business activities which do not conflict with interests of public duties and are not prohibited by law, and to make profits by appointing trusted individuals to manage his/her own businesses;
- 38.1.8. to resign from the civil service;
- 38.1.9. to attend trainings in order to improve professional knowledge and skills;
- 38.1.10. other rights provided by laws.

Article 39. Prohibited actions of core civil servants

/The title of this article was amended by the law of July 2, 2021/

- 39.1. Civil servants shall not carry out the following activities, addition to the provisions stated in laws:

/The paragraph was amended by the law of July 2, 2021/

- 39.1.1. give illegal tasks and assignments and demand compliance with them;
- 39.1.2. abuse power of public positions;
- 39.1.3. make illegal decisions;
- 39.1.4. misuse power of positions in the civil service, blackmail others for personal interests and sexual harassment; discriminate and exploit;

/The sub-paragraph was revised by the law of July 2, 2021/

- 39.1.5. be a member of political parties, or participate in activities of political parties and movements, non-governmental or religious organizations affiliated to political parties, unless otherwise permitted by laws;
- 39.1.6. participating in the election campaigns of the President's and the State Great Khural, of Citizens' Representatives Khurals of provinces, soums, the capital city, and districts; spending budget funds not intended for them, using state property, and official vehicles;
/The sub-paragraph was amended by the law of April 22, 2022/
- 39.1.7. plan, organize or participate in strikes or other actions aimed at disrupting normal operations of the civil service;
- 39.1.8. use power of public duties to carry out religious or agnostic propaganda or publicity;
- 39.1.9. accept state ordains and medals, or other government awards from foreign countries without the permission of the President of Mongolia;
- 39.1.10. travel inside or outside the country at the expense of private companies or individuals, in particular of foreign organizations and citizens, in relation to performing public duties, if otherwise carrying out business trips under international treaties ratified by Mongolia, bilateral agreement or permission provided by authorized officials;
- 39.1.11. misuse and embezzle public organization's property, equipment, funds, information sources and official information for other than formal purposes;
- 39.1.12. discriminate against individuals in forms specified in Sections 4.1.5 and 4.1.6 of the Law on Gender Equality;
- 39.1.13. express unofficial opinions and political viewpoints in regard to state policies through mass and print media, websites or social media, and distribute positive or negative news and information about political parties, coalitions or candidates;
- 39.1.14. participate in protests and demonstrations or distribute information against government policies and actions;
- 39.1.15. appoint a civil servant to the workplace until the dispute related to the demotion, dismissal, or dismissal of the civil servant is finally resolved by the court;
/The sub-paragraph was amended by the law of July 2, 2021/
- 39.1.16. refuse to hand over the position, job place, stamp, seal or related documents, after the decision of demotion, resignation or dismissal is made based on legal grounds;
- 39.1.17. violate the procedure for organizing and participating in public hearings;
- 39.1.18. other as provided in laws.

Commentary: Sub-paragraphs 37.1.5, 39.1.5, 39.1.6 and 39.1.13 do not apply to politically-appointed public officials.

/Addendum was made to this sub-paragraph by the law of July 2, 2021/

CHAPTER TEN. CODE OF CONDUCT

/This chapter was considered invalid by the law of May 4, 2023./

Article 40. Code of conduct

- ~~40.1. The code of conduct of civil servants holding positions in Sections 10.1.1 and 10.1.3 shall be established by law.~~
- ~~40.2. The Government shall approve the code of conduct of civil servants holding public positions stated in Sections 10.1.2 and 10.1.4 of this law based on proposals by the central civil service council.~~

PART 4. LABOR RELATIONS IN THE CIVIL SERVICE

CHAPTER ELEVEN. GENERAL PROVISIONS

Article 41. Labor relations in the civil service

- 41.1. Individuals aged 18 and above may work in the civil service, unless otherwise provided in laws.
- 41.2. Retirement age ceiling in the civil service shall be 65 for all civil servants except political appointees, if not otherwise provided in laws.
- 41.3. All other issues, related to labor relations of civil servants and unregulated by this law, shall be regulated by Labor Law specifically.

Article 42. Justifications for temporary replacement of a core civil servant

- 42.1. The authorized officer may delegate work duties of a core civil servant to another core civil servant based on his/her consent in the following cases, unless otherwise provided in laws:
 - 42.1.1. paid annual vacation;
 - 42.1.2. on leave due to health and other reasons;
 - 42.1.3. on domestic and overseas business trips;
 - 42.1.4. attended in-service trainings up to six months and studied in master's and doctor's course in a developed country for up to two years;
 - 42.1.5. been deployed to perform other duties elsewhere under an administrative decision;
 - 42.1.6. on maternity or child-rearing leave;
 - 42.1.7. pending court decision concerning demotion, resignation, suspension and dismissal of a civil servant from his/her position;
 - 42.1.8. been demoted, resigned permanently or temporarily, or dismissed a civil servant from the position;
 - 42.1.9. civil servant has been elected or appointed to other position;
 - 42.1.10. is deceased.

Article 43. Temporary delegation of core civil servant's job duties

- 43.1. The authorized official shall make a decision on the temporary delegation of duties of one core civil servant to another within 14 days in cases other than provided in Section 43.3.1 of this law,
- 43.2. The temporary substitute/acting civil servant shall perform the absent civil servant's job functions and duties. The decision on the temporary delegation of job duties shall indicate its duration, and limitations of some powers if necessary.
- 43.3. Temporary delegation of core civil servant's job duties shall abide by and follow the following procedure:
 - 43.3.1. the deputy director of an institution shall substitute the director's job duties during his/her absence
 - 43.3.2. the head of the department whose functions approximate job duties of the director of the institution, shall take the acting position of the director during absences of the deputy director, vice chairman or non-existence of deputy director's position.
 - 43.3.3. in cases other than provided in Sections 43.3.1 and 43.3.2 of this law, job duties of a core civil servant shall be delegated to another civil servant whose job functions are the closest to the absent civil servant.
 - 43.3.4. in case of maternity (pregnancy and post-pregnancy) and child-rearing leave, and absenteeism due to treatment and rehabilitation of health conditions from three months to one year, job duties of absent civil servants shall be temporarily delegated to the closest-related colleague in terms of job functions, or reserve personnel registered in the roster of reserve civil servant may be selected and assigned the job duties temporarily.
- 43.3. The acting substitute civil servant shall perform temporarily-delegated functions and powers in addition to his/her permanent job functions, without being suspended from his/her permanent job positions, and be accountable for performance results.
- 43.4. The Government shall approve the procedure for providing salary and remuneration for temporary delegation of formal duties of core civil servants, based on proposals by the central civil service authority.
- 43.5. It is prohibited to assign and delegate core civil servant's job duties temporarily by violating

the procedure provided in this law.

Article 44. Transfer and rotation of a core civil servant to other public position

44.1. Considering the necessity of formal work arrangements, it is possible to transfer one civil servant working on one position for over 10 years, from one public institution to another based on management's decision, mutual agreement of management of both institutions and consent of the core civil servant to be transferred.

Note: 'Necessity of formal work arrangements' refers to situations related to building up human resources with required knowledge, education, professions, specialized qualifications, skills and experiences; performing urgent or complicated tasks; or improving operations, structural organization and service quality within the given institution.

44.2. Unless otherwise provided by law, a full-time civil servant may be employed on a rotating basis for a period of up to two years between state organizations, as agreed upon by their management, or between units of the organization. The period of rotation can be extended for up to one year with the consent of the state organization, that originally sent him/her, and himself/herself if the civil servant or the organization, to which he/she is transferred, wishes.

/This paragraph was revised by the law dated July 5, 2022/

44.3. According to paragraphs 44.1, 44.2, and 44.5 of this law, when transferring or reassigning a full-time civil servant, the category, rank, salary, or rank of the position held by the civil servant shall not be reduced.

/This paragraph was amended by the law dated July 5, 2022/

44.4. As soon as the civil servant's rotation period specified in paragraph 44.2 of this law ends, the person shall continue to be employed in the previous job or position. In the event that a full-time civil servant is returned to his previous job or position before the end of the rotation period, the proposal of the state organization that was sent to him first will be taken and resolved according to mutual agreement.

/Addendum was made to this this paragraph by the law dated July 5, 2022/

44.5. The person who is authorized to appoint may transfer civil servants between units of the organization by notifying him/her.

/This paragraph was added by the law dated July 5, 2022/

44.6. An organization that has transferred a full-time government employee as specified in paragraph 44.2 of this law may not continue to transfer him/her to another state organization without his/her consent.

/This paragraph was added by the law dated July 5, 2022/

44.7. The procedure for the transfer of a full-time civil servant to another position and rotation shall be jointly approved by the civil service central authority and the Government.

/The numbering of this paragraph was amended by the law dated July 5, 2022/

44.8. According to the Law on the Protection of Witnesses and Victims, a civil servant who is subject to protection measures may be transferred to another position from one state organization to another on basis of the agreement with him.

/The numbering of this sub-paragraph was amended by the law dated July 5, 2022/

Article 45. Demotion of a core civil servant under administrative initiative

45.1. A core civil servant may be demoted under management's decision based on the following grounds:

45.1.1. showed unsatisfactory performance, unachieved goals or targets provided in laws and job descriptions;

45.1.2. insufficient performance results and qualifications to work on the given position;

- 45.1.3. other grounds provided in law.
- 45.2. The budget treasurer shall directly make the decision specified in Section 45.1.1 of this law, if not otherwise provided in law.

Article 46. Temporary suspension and resignation of a core civil servant from his/her position

- 46.1. A core civil servant may be suspended temporarily from the civil service, based on the following grounds:
 - 46.1.1. need of treatment and rehabilitation for longer than three months due to health conditions, if not otherwise provided in law;
 - 46.1.2. attend training for longer than six months (including training of new skills or in-service training);
 - 46.1.3. serve in the Army;
 - 46.1.4. being covered within security interventions under the Law on Protecting Witnesses and Victims.
- 46.2. A core civil servant may be resigned from the civil service, based on the following grounds:
 - 46.2.1. became a candidate for the elections of the President and the State Great Khural, as well as the Citizens Representative Khurals of the citizens of provinces, soums, the capital city and districts;
/This sub-paragraph was amended by the law dated April 22, 2022/
 - 46.2.2. reached retirement age;
 - 46.2.3. reached the retirement age ceiling to work in the civil service;
 - 46.2.4. initiated a request to resign from the civil service;
 - 46.2.5. other legal grounds provided in laws.
- 46.3. A core civil servant shall submit a request of resignation from the civil service, as he/she reaches the retirement age, or a request of employment extension till the retirement age ceiling of the civil service, if not otherwise provided in laws. The authorized official makes the decision to continue employment of the public administration whether to resign from the civil service or to allow continue employment until the retirement age ceiling of the civil service based on evaluation of his/her qualifications, experiences and health status. In case a core civil servant has not filed a request of resignation from the civil service after reaching the retirement age or the extension date up to the age ceiling for working in the civil service, it shall not be deemed exemption from being resigned from the civil service under administrative decision.
- 46.4. If a full-time civil servant is a candidate for the regular elections of the President of Mongolia and the State Great Khural of Mongolia, before January 1 of the regular election year, and if he is running for the regular election of the Citizens Representative Khurals of provinces, soums, the capital city and districts, before the regular election year. In case of extraordinary, by-elections, or re-elections, they have been released from the civil service before August 1.
/This paragraph was amended by the law dated April 22, 2022/
- 46.5. The direct budget governor shall directly make the decision specified in Paragraph 46.1 and 46.2, if not otherwise provided in laws.
- 46.6. Individuals stated in Paragraph 46.1 of this law shall be considered registered in the roster of reserve civil servants.

Article 47. Dismissing a core civil servant

- 47.1. A core civil servant shall be dismissed from the civil services on the following grounds:
 - 47.1.1. multiple times of insufficient performance of job duties (three or more times), unless otherwise provided by laws;
 - 47.1.2. charged and convicted by a court decision due to criminal offence proven;
 - 47.1.3. renunciation of Mongolian citizenship;
 - 47.1.4. other grounds provided in this law.
- 47.2. The direct budget governor shall directly make the decision specified in Paragraph 46.1 and 46.2, if not otherwise provided in laws.

Article 48. Disciplinary punishment for civil servants

/The title of this article was amended by the law dated July 2, 2021/

48.1. Unless otherwise provided by law, in case of violation of Articles 37 and 39 of this law, non-fulfillment of official duties, and other cases specified in this law, depending on the nature of the violation and the first or repeated commission of the violation, any of the following disciplinary sanctions shall be imposed on civil servants other than state support civil servants:

/This paragraph was revised by the law dated July 2, 2021/

48.1.1. individually remind him/her;

/This paragraph was revised by the law dated July 2, 2021/

48.1.2. public warning in the form of an announcement to all employees;

/This paragraph was revised by the law dated July 2, 2021/

48.1.3. to reduce the salary of the position by up to 20 percent for a period of up to 3 months;

/This paragraph was revised by the law dated July 2, 2021/

48.1.4. dismissal from civil service;

/This paragraph was revised by the law dated July 2, 2021/

48.1.5. dismissed without the right to return to public service for three years;

/This paragraph was revised by the law dated July 2, 2021/

48.1.6. others are prescribed by law.

/This paragraph was revised by the law dated July 2, 2021/

48.2. Civil servants in the state support service who commit violations specified in Article 48.1 of this Law shall be subject to labor disciplinary punishments specified in Article 123 of the Labor Law.

/This paragraph was added by the law dated July 2, 2021/

48.3. Disciplinary sanctions specified in paragraph 48.1 of this Law shall not be required to be applied consecutively.

/The numbering of this paragraph was amended by the law dated July 2, 2021/

48.4. If a core civil servant is appointed by an authorized official who has appointed him or by an organization with joint management, disciplinary punishment shall be imposed by the decision of the head of that organization.

/The numbering of this paragraph was amended by the law dated July 2, 2021/

48.5. If more than 6 months have passed since the discovery of the disciplinary violation or more than 12 months have passed since the violation, disciplinary punishment cannot be imposed.

/The numbering of this paragraph was amended by the law dated July 2, 2021/

48.6. Duplicate imposition of disciplinary sanctions is prohibited.

/The numbering of this paragraph was amended by the law dated July 2, 2021/

48.7. If a civil servant has not received disciplinary punishment within 1 year from the date of imposition of disciplinary punishment, he/she shall be considered to have received no disciplinary punishment.

/The numbering of this paragraph was amended by the law dated July 2, 2021/

48.8. The imposition of disciplinary punishment on a civil servant who violates the provisions of Article 39 of this law shall be grounds for his/her dismissal from civil service or refusal to re-engage in civil service, but shall not be grounds for exempting him/her from criminal or other liability.

/The numbering of this paragraph was amended by the law dated July 2, 2021/

48.9. If a full-time civil servant considers the decision to impose disciplinary punishment to be unjustified, he/she may submit a complaint to the civil service central authority or to the court within 30 days after notification of the decision.

/The numbering of this paragraph was amended by the law dated July 2, 2021/

Article 49. Prohibited actions

- 49.1. It is prohibited to resign, suspend and dismiss a core civil servant from the civil service illegally.
- 49.2. Resignation, suspension and dismissal of a civil servant shall not be executed by violating additional guarantees provided in Sections 62.1.2 and 62.1.3 of this law.
- 49.3. It is prohibited to mobilize civil servants, other than political servants, in any activities of political parties and coalitions or to perform tasks that are not related to their duties.
/This section was added by the law dated July 5, 2022/

Article 50. Claiming repayment of damages caused to the State, and monitoring

- 50.1. If the civil service central authority or the court determines that a citizen or a civil servant other than a political civil servant has been illegally appointed, released, temporarily released, or dismissed from the civil service, the damage caused to the state shall be compensated by the guilty official who made the decision.
/This paragraph was amended by the law dated July 5, 2022/
- 50.2. The central civil service authority shall make records of execution processes of the Court decision, monitor repayment of the damages incurred to the state, and make a lawsuit to claim the damage on behalf of the state, in case damages unpaid.

CHAPTER TWELVE. AWARDS AND BONUSES

Article 51. Awards and cash bonuses

- 51.1. A core civil servant shall be awarded rewards with following forms upon accomplishments such as having executed extraordinary or complex tasks, introduced innovations or new initiatives aimed to improve organizations' operations, structure and quality of services, or satisfied other conditions and requirements:
 - 51.1.1. gift of valuables;
 - 51.1.2. nominate for honorable titles and medals of Mongolia;
 - 51.1.3. awards of the Government and of other public institutions;
 - 51.1.4. cash bonus based on quarterly performance appraisal results.
- 51.2. The Government of Mongolia shall approve the procedure for awarding the reward stated in Section 51.1.1, nominating candidates for the award stated in Section 51.1.3 and awarding cash reward stated in Section 51.1.2, whereas the President of Mongolia shall approve the procedure for nominating candidates for the award stated in Section 51.1.2 of this law.
- 51.3. Civil servants in the state administration service working continuously in a soum, Bagahangai, Baganuur, and Nalaih districts of the capital city shall be given a cash bonus equal to six months' basic salary once every five years.
/This paragraph was added by the law of November 11, 2022 and will be enforced from January 1, 2024/

PART 5. CIVIL SERVANT'S WORK PERFORMANCE, AND APPRAISAL RESULTS

CHAPTER THIRTEEN. CORE CIVIL SERVANT'S WORK PERFORMANCE APPRAISAL RESULTS, AND PUBLIC MONITORING

Article 52. Generic justification grounds for core civil servant's work performance and appraisal results

- 52.1. Core civil servant's work performance, appraisal results and qualifications level/grade shall be evaluated periodically/ within the established date in compliance with relevant regulation.
- 52.2. Decisions related to promoting core civil servant, upgrading salary, ranks and grades, incentives and attending trainings, demotion and imposing liabilities shall be based on his/her performance appraisal results.

- 52.3. Work performance and results of the direct budget governor of the public institution shall be evaluated based on the operational outcomes of the respective institution.

Article 53. Strategic plan

53.1. The general budget governor shall develop and approve the four-year strategic plan of the respective institution in compliance with laws, and ensure its implementation.

53.2. The Government shall approve the procedure for developing, approving and implementing the strategic plan based on proposal by the central civil service authority, if not otherwise provided in laws.

Article 54. Work plan of the organization

54.1. The direct budget governor shall develop and approve the annual work plan in order to implement the program and actions under his/her jurisdictions as provided in the Budget law of the given year, and implement the plan from January 1 till December 31 every year.

54.2. The Government shall approve the procedure for developing organizations' annual action plan, defining performance target and indicators, and reporting results.

Article 55. Core civil servant's annual work plan

55.1. A core civil servant shall develop annual work plan in order to carry out functions specified in legislations and job description, and implement the plan from January 1 till December 31 every year.

55.2. The Government shall approve the procedure for developing core civil servant's annual work plan, defining performance targets and indicators, reporting results, evaluating work performance and results, promoting a core civil servant based on performance appraisal, adjusting salary and wages, providing bonus and imposing liabilities.

55.3. A program of civil servant' trainings, work conditions and social security shall be developed and implemented.

Article 56. Public monitoring

56.1. The Public Monitoring Council shall execute the public monitoring functions to examine the quality, access and impacts of government services.

56.2. The central civil service authority shall approve the rule for selecting the Public monitoring council, implementing public monitoring and operating the Council.

PART 6. CIVIL SERVANT'S SALARY AND WAGE, REFUNDS, ALLOWANCE AND SOCIAL SECURITY

CHAPTER FOURTEEN. CIVIL SERVANT'S SALARY AND WAGE

Article 57. Civil servant's salary and wage

57.1. The Government shall pay salary to civil servants for performing functions and duties provided in laws and their job descriptions.

57.2. Civil servant's salary consists of the following:

57.2.1. Salary of politically-appointed civil servant consists of the base salary of the job position and additions of special work conditions and PhD degree;

57.2.2. Salary of civil servant holding management position consists of the base salary of the job position, additional pays of duration of employment in the civil service, ranks/titles, grades and qualifications, PhD degree and allowances;

57.2.3. Salary of civil servants rendering special state services consists of the base salary of the job position, additional pays of duration of employment in the civil service, ranks/titles, grades, PhD degree and qualifications level and other allowances provided in laws;

57.2.4. Salary of civil servants rendering government support services consists of the base salary of the job position, additional pays of PhD degree, qualifications level, ranks/titles, skills, duration of employment in the civil service and other additional

- pays/allowances provided in laws;
- 57.3. Additional pays of ranks and grades shall not be overlapped when paid to a core civil servant.
- 57.4. The State Great Khural shall determine the amount of salary and system of civil servants who hold political and special service positions /except for Governors of soums and districts, Deputy Governors of provinces, soums, the capital city and districts, armed forces, border guards and internal troops, emergency, intelligence, state special protection, immigration, police, state special positions of court decision enforcement organizations/ in consultation with the civil service central authority upon the submission of the Government.
*/This section was amended by the law dated April 22, 2022/
/In this paragraph, after the term "state special protection," "immigration" addendum was made by the law dated January 6, 2023/*
- 57.5. The Government shall approve salary amounts and pay system of the following civil servants based on proposal submitted by the central authority in charge of labor issues and the central civil service authority:
- 57.5.1. Governors of soums, baghs, districts and khoroo, Deputy Governor of soums and districts;
*/Addendum was made to this sub-paragraph by the law dated July 2, 2021/
/This sub-paragraph was amended by the law dated April 22, 2022/*
- 57.5.2. town/village mayor;
- 57.5.3. public servants holding management positions;
- 57.5.4. civil servants of armed forces, border and internal troops, intelligence, state special protection, police, chief officer of court decision enforcement and emergency organization, court decision enforcement, immigration and customs organization;
/In this sub-paragraph, before the term "civil servants of customs organization," "immigration" addendum was made by the law dated January 6, 2023/
- 57.5.5. diplomats;
- 57.5.6. */This sub-paragraph was revoked by the law of November 12, 2021/*
- 57.5.7. on-staff advisors, assistants and spokespeople who will provide services exclusively to politically-appointed civil servants during their office terms.
- 57.6. Additional pays and other necessary fringe benefits politically-appointed public officials, members of the Constitutional Court, judges and prosecutors of all level Courts; the President, First deputy and Deputy President of the Central Bank of Mongolia, the Chairman and on-staff members of the Financial Regulatory Commission, the chairman and deputy chairman of the National Statistics Committee, the chairman and secretary of the General Election Commission, chairman and members of the National Human Rights Commission, and public officials who hold management and execution positions at the national and provincial auditing office and the Independent Authority Against Corruption shall be established by legislations based on proposals by the central authority in charge of financial and budget affairs and the central civil service authority.
- 57.7. The Government shall approve the procedure for providing additional pays and their amounts to civil servants stated in Section 57.5.3 of this law based on proposals by the central authority in charge of labor affairs and the central civil service authority.
- 57.8. The Government shall approve the procedure for providing additional pays and other allowances to civil servants holding support service jobs based on proposals the central civil service authority.
- 57.9. The State Great Khural shall approve the rank classification of high-level government job positions and salary indexation to determine salary levels of public officials classified same as those with high-level government positions, based on the proposal submitted by the Government.
- 57.10. The salary indexation stated in Paragraph 57.9 of this law shall not apply to the chairman and members of the Constitutional Court, the chief justice and judges of the Supreme

- Court and the General prosecutor and deputy general prosecutor.
- 57.11. The salary of civil servants holding support service jobs may be determined on an hourly basis in compliance with the Labor law. The Government shall approve the list of job positions of which salary is to be determined on an hourly basis.
- 57.12. Public administration employees shall be provided additional pays stated in the Labor law.
- 57.13. The State Great Khural shall determine the coefficient salary for the Chairman of the State Great Khural, Deputy Chairman of the State Great Khural, members of the State Great Khural, General Secretary of the State Great Khural, advisor to the Chairman of the State Great Khural, First Deputy and Deputy Chairman of the State Great Khural Secretariat, and management, executive and assistant positions of the Secretariat of the State Great Khural.
- /This paragraph was added by the law dated May 7, 2020/*
- 57.14. The Government shall set the minimum wage and salary range for civil servants in the state support service based on the proposals of the state central administrative body in charge of labor matters and the central civil service authority.
- /This paragraph was added by the law dated November 12, 2021/*
- 57.15. If it is necessary to employ a highly qualified person in the field of information technology in the category of civil service positions, the Government shall determine the salary coefficient and hierarchy of the position.
- /This paragraph was added by the law dated December 17, 2021/*
- 57.16. The Government shall determine the list of state organizations to which the salary index and hierarchy specified in paragraph 57.15 of this Law will be applied, as well as the maximum number of employees working in the field of information technology in that organization.
- /This paragraph was added by the law dated December 17, 2021/*
- 57.17. Civil servants in the state administrative service may be granted local increments.
- /This paragraph was added by the law of November 11, 2022/*

Article 58. Establishing salaries for civil service positions

- 58.1. When determining civil servants' salary, the following procedure shall be applied accordingly:
- 58.1.1. determine and enforce salary levels based on job place review analysis by reviewing operational frameworks of the organization, functions and tasks of the job position and related responsibilities;
- 58.1.2. salary amounts shall be linked with the average living standards and the average salary of comparable jobs in the private sector.
- 58.2. If the average salary of civil servants is reduced by 5% or more compared to comparable job positions in the private sector, the Government shall prepare and present a proposal to increase the base salary of the job position to the State Great Khural for approval before deliberation of the budget framework statements, in line with relevant regulations.

CHAPTER FIFTEEN. REIMBURSEMENTS TO BE PAID TO CIVIL SERVANTS

Article 59. Reimbursements to be paid to civil servants

- 59.1. Civil servants shall be provided the following reimbursements:
- 59.1.1. per diem of business trips;
- 59.1.2. transportation costs in line with approved norms, if used a private vehicle for official work purposes.
- 59.1.3. transportation and luggage costs and per diem for civil servants deployed for overseas trip, domestic field trips of inter-provinces or inter-cities, or within one province or city; and transportation and luggage costs for their family member or dependents;
- 59.1.4. in the case a civil servant temporarily lost work capability or became disabled due to injuries or harms to his/her health occurred during his/her official duties, his/her salary, benefits and pensions shall be provided during the overall period of absentia due to

- lost work capability and of disability pension coverage, and ensure the damages shall be repaid by the guilty party;
- 59.1.5. in the case a civil servant became disabled due to injuries or harms to his/her health occurred during his/her official duties and required to use prosthesis, hearing aid and other rehabilitation treatment, the certain portion of costs shall be provided in accordance with Paragraph 17.1 of the *Law on pension, benefits and payments of occupational diseases and industrial injuries to be provided from the Social insurance fund*, the remaining part compensated from the State budget, and ensure the damages repaid by the guilty parties;
- 59.1.6. two-way travel costs in the case a civil servant travels to own or spouse's birthplace during annual paid vacation, or two-way travel costs in the case of being cared at a local sanatorium under decision of the accredited hospital shall be provided once every two years based on the ongoing price and tariffs for traveling by a vehicle or train;
- 59.1.7. The Government shall subsidize the margin of treatment costs exceeding the limit of treatment budget of the given year under the Law on Health insurance shall be provided by the government, or at least 60% of the treatment costs, in the case a civil servant is required to receive treatment urgently in a foreign country under the decision of the accredited hospital;
- 59.1.8. other reimbursements provided in laws and regulations.
- 59.2. The Government shall approve the procedure for providing reimbursements and their amounts to civil servants.

CHAPTER SIXTEEN. CIVIL SERVANT'S ALLOWANCES

Article 60. Allowances to be paid to civil servants

- 60.1. In case civil servants retired from the civil service due to grounds to have his/her old age pension determined, one-time lump sum grant shall be provided based on calculation of his/her base salary and employment years. The maximum amount of the grant shall not exceed the amount equal to the salary of 36 months. The Government shall approve the procedure for determining the average salary and criteria for providing one-time lump sum grant.
- 60.2. If a civil servant lost life when executing official duties, his/her surviving family shall be provided allowance worth his/her salary of 60 months.
- 60.3. The Government shall approve the procedure and criteria for providing one-time lumpsum allowance stated in Paragraph 60.2 of this law.

Note: If a civil service lost life after retirement from the civil service in relation with his/her previous public duties, the allowance stated in Paragraph 60.2 of this law shall be provided to his/her surviving family similarly.

CHAPTER SEVENTEEN. GENERIC GUARANTEES OF CIVIL SERVANTS

Article 61. Generic guarantees for civil servants

- 61.1. Civil servants shall be provided with the following generic benefits:
- 61.1.1. to receive the base salary of the public job positions, reimbursements, allowances, rewards and bonuses, pensions and benefits;
- 61.1.2. to be provided with relevant work conditions suitable to execute full power of job positions;
- 61.1.3. to use a government-provided vehicle depending on the nature of job duties or an allowance equal to a certain portion of transportation costs to commute to and from work;
- 61.1.4. A civil servant and his/her family members may be to be provided security protection by his/her employer-organization or police against any abuse, threats, defamation, libeling and other illegal actions and activities in relation with his/her public job duties;

- 61.1.5. housing supports from the Government;
 - 61.1.6. annual paid vacation established under the Labor law;
 - 61.1.7. to attend in-service, professional development training up to 6 months with government funds and to receive the base salary of his/her job position;
 - 61.1.8. The Government shall pay physical damages incurred to a civil servant during execution of his/her public duties, and take actions to ensure the damages shall be compensated by the guilty parties in accordance with relevant laws and regulations;
 - 61.1.9. If a civil servant cannot take the annual paid vacation in person due to urgent needs of his/her public duties, he/she shall be provided a bonus equal to the base salary of 1.5 months of the job position based on his/her consent;
 - 61.1.10. other guarantees established by laws.
- 61.2. The Government shall approve the procedure for providing the guarantees stated in Section 61.1.5 of this law.

CHAPTER EIGHTEEN. ADDITIONAL BENEFITS OF CORE CIVIL SERVANTS

Article 62. Additional benefits provided to core civil servants

- 62.1. A core civil servant shall be provided with the following additional guarantees besides those provided in Paragraph 61.1 of this law:
- 62.1.1. not resigned and dismissed from the civil service due to other grounds provided in this law;
 - 62.1.2. the termination of the powers of the State Great Khural, the President, the Government, the Chief Justice of the Supreme Court, the State Prosecutor General, the Citizens Representative Khurals of provinces, soums, the capital city and districts, and Governors at all levels, as well as the change of the political official specified in this law from that position, or the change of the budget general governor and the direct budget governor of a state organization, shall not be a ground for changing the civil servant;
/This paragraph was amended by the law dated April 22, 2022/
 - 62.1.3. Despite of restructuring changes occurred at a public institution (merge, consolidation, split, separation, change) or internal structural changes, a civil servant shall be remained employed on his/her job position, if functions and tasks in civil servant's job description unchanged; or in the case job positions for delivering such functions and tasks are cut down, the authorized official shall recruit a civil servant through competitive selection based on his/her performance results, qualifications level/grade, knowledge and skills, work experiences and employment duration and his/her capability which best satisfy generic and special requirements of the job position duly;
 - 62.1.4. In case of a public institution has dissolved, structurally changed or its job positions cut down, the affected civil servants may be transferred to other jobs and positions relevant to his/her profession and qualifications without reduction of salary and wages, or attend in-service training up to 6 months with government funds, receive the base salary of previous job position and be provided with a job place in compliance with laws and regulations; or be paid one-time lumpsum allowance equal to his/her salary of 3 months.

CHAPTER NINETEEN. CIVIL SERVANTS OBLIGED TO WEAR UNIFORMS

Article 63. Civil servants obliged to wear uniforms

- 63.1. Civil servants may wear uniforms in compliance with relevant laws.
- 63.2. The President or the Government shall approve the duration and the procedure for using civil servants' uniforms accordingly.

PART 7. FULL POWER OF PUBLIC INSTITUTIONS IN REGARD TO THE CIVIL SERVICE

CHAPTER TWENTY. GOVERNMENT'S FULL POWER

Article 64. Government's full power

- 64.1. The Government shall establish a system for evaluating public institutions' performance and civil servants' work results and qualifications, and develop and implement the program for providing work conditions and social security of civil servants in compliance with the civil service development policy and planning.
- 64.2. the Government shall be in charge of the following issues within its full power stated in Paragraph 64.1 of this law:
- 64.2.1. to oversee operational performance of and assign tasks and orders to ministries, government agencies and local municipalities, and ensure their implementation, rectify irregularities and provide professional and methodology guidance accordingly;
 - 64.2.2. to develop and implement the training program for improving civil servants' knowledge and skills, developing manager's skills, retraining and specializing civil servants jointly with the central civil service authority;
 - 64.2.3. */This sub-paragraph revoked by the law of July 5, 2022/*
 - 64.2.4. to provide overall supervision and coordination for programs, projects and interventions implemented to strengthen capacity of public institutions and take actions to improve efficiency;
 - 64.2.5. to approve procedure for evaluating performance and qualifications of civil servants, and provide methodology guidance for its implementation;
 - 64.2.6. to carry out monitoring and evaluation to implementation progresses and outcomes of the civil service reform policies, strategies and human resource policy, and prepare proposal and recommendations to improve their efficiency;
 - 64.2.7. to carry out research study on average salaries of comparable jobs and positions in the private sector and submit a proposal for modifying public sector salary and wages to the State Great Khural before deliberation of budget framework statements for due approval;
 - 64.2.8. to respond on execution and actions regarding statements in Paragraph 32.1 of this law within 14 days;
 - 64.2.9. other full power stated in laws.
- 64.3. Under the Secretariat of the Cabinet, a civil service training institution shall operate with key functions to train and re-train civil service, to carry out research and analysis on human resources in the civil service and to provide professional and methodology guidance to policy planners in such regards.
- 64.4. The Government shall approve the charter of the training institution stated in Paragraph 64.3 of this law.

CHAPTER TWENTY-ONE. CENTRAL CIVIL SERVICE AUTHORITY, ITS FULL POWER

Article 65. Central civil service authority

- 65.1. The central civil service authority shall be the Civil Service Council (hereinafter as 'Council').
- 65.2. The Council shall report its operations to the State Great Khural.
- 65.3. The Council shall function as an independent, autonomous agency and have its secretariat, sub-council(s) and divisions of training, research and integrated database. The Council shall appoint the chairman of its Secretariat and chairpersons of sub-council(s).
- 65.4. The State Great Khural shall approve the structure, organization and ceiling of staffs of the Council.
- 65.5. Council's operational activities shall be financed from the State budget.
- 65.6. The Council shall issue resolutions within its jurisdiction mandate. Relevant parties shall abide Council's resolutions accordingly.
- 65.7. The State Great Khural shall approve the operational charter of the Council.
- 65.8. Council's operational activities shall not be intervened by any parties, including the

President of Mongolia, Chairman of the State Great Khural, the Prime Minister, members of the State Great Khural, ministers of the Cabinet, political parties, the general public, private and public officials or individuals at all.

65.9. Violation of Paragraph 65.8 of this law by a public official shall be a ground to dismiss him/her from the civil service.

65.10. On matters within its power, the Council shall support the State Great Khural on exercising the power of monitoring.

/This paragraph was added by the law dated December 24, 2021/

Article 66. Council's full power

66.1. The Council shall implement the following full power:

~~66.1.1. to provide public officers holding management and executive positions with recommendations and methodology guidance related to compliance of the code of conduct of civil servants;~~

/This sub-paragraph was considered invalid by the law of May 4, 2023/

66.1.2. to oversee implementation of the program on trainings, work conditions and social security of civil servants, provide technical and methodology assistance, and carry out R&D activities related to the civil service;

66.1.3. to conduct inspection on processes of selection, recruitment and appointment of core civil servants based on complaints and reports from individuals, organizations or civil servants, to deliver a rectification order to address detected irregularities and to revoke decisions violating laws and regulations;

66.1.4. to conduct audits to operational activities of public institutions in regards to compliance of the civil service legislations and the principles stated in Section 3.1.3 of this law;

66.1.5. to create integrated database system of civil servants' personal profiles and records, and to organize activities aimed to provide the President of Mongolia, the State Great Khural, the Government, the General Judicial Council and other interested parties with information related to the civil service and civil servants;

66.1.6. to make, amend and enforce decisions on issues within its jurisdiction in compliance with legislations;

66.1.7. to provide professional and methodological advice to state organizations for analysis of functions;

/This sub-paragraph was amended by the law dated July 5, 2022/

66.1.8. to monitor and evaluate the implementation process and results of civil service reform policies, strategies, and human resource policies, and develop suggestions and recommendations for improving their results;

/This sub-paragraph was amended by the law dated July 5, 2022/

66.1.9. to implement the civil service reforms and good governance principles, and to provide executing agencies and their managers with professional and methodology guidance and services on issues related to change management, public administration and human resource management;

66.1.10. to review and analyze information related to programs, projects and interventions implemented to strengthen capacity of the civil service, and provide recommendations and services aimed to address overlaps and gaps and to improve efficiency;

66.1.11. to organize general and special civil service examinations, to provide methodical management, to select the direct budget governor of state administration and state support servicing organizations, and to approve relevant regulations;

/This sub-paragraph was amended by the law dated July 5, 2022/

66.1.12. other full power provided in laws and regulations.

Article 67. Council meeting

67.1. The main form of Council's activities shall be a meeting.

67.2. The procedural rule of the meeting shall be established by the Civil Service Council

Article 68. Members of the Council

- 68.1. The Council shall function based on collegial principles, and have five on- staff members.
- 68.2. The Secretariat of the State Great Khural, the Office of the President of Mongolia and Secretariat of the Cabinet shall each nominate one candidate, while civil servants' representatives shall nominate two candidates for the Council. Candidates shall be citizens of Mongolia and reached the age of 45; employed on public administration positions at least 15 years; have higher education in public administration, economics, law and education fields; and with no criminal records. The State Structure Standing Committee of the State Great Khural shall approve the procedure for selection of Council members representing civil servants.
- 68.3. The Council member shall be appointed for a period of six years based on the hearing of the candidate by the State Great Khural. A council member can be reappointed once per term.
- /Addendum was made to this paragraph by the law dated December 24, 2021/*
- 68.4. Individuals who are and have been working on management and executive positions of political parties in the past one year shall not be nominated for Council's membership.
- 68.5. Council members shall not have same birth place or be classmates, nor be related persons.
- 68.6. The State Structure Standing Committee of the State Great Khural shall produce conclusion on eligibility of candidates for Council membership based on requirements provided in Paragraphs 68.2, 68.4 and 68.5 of this law.
- 68.7. Council chairman and members shall not hold any other job or position concurrently.

Commentary: In paragraph 68.5 of this law, 'same birth place' refers to be born in the same province and soum, while 'classmates' refers to have studied in and graduated from the same class of the general secondary school, university and college.

Article 69. Council chairman, his/her full power

- 69.1. Council members shall nominate candidates for Council chairman's position and elect the chairman for 3 years, based on majority of secret votes balloted by Council members. The Council chairman can be re-elected once only.
- 69.2. The Council chairman shall exercise the following full power:
- 69.2.1. to represent the Council in domestic and international relations;
 - 69.2.2. to communicate issues related to Council jurisdiction with the State Great Khural, the Government and other relevant institutions, take part in sessions of the State Great Khural, Standing Committees and the Cabinet meetings and express Council's viewpoints.
 - 69.2.3. to identify agenda and announce the date of the upcoming Council meeting, and chair Council meetings;
 - 69.2.4. other full power provided in laws.
- 69.3. The member designated by Council Chairman shall perform Chairman's roles and functions during his/her absence.

Article 70. Resignation of council chairman and members

- 70.1. The State Great Khural shall resign Council chairman or member due to the following grounds:
- 70.1.1. reached the retirement age ceiling of the civil service;
 - 70.1.2. incapability to discharge official duties due to health conditions and other justifiable reasons;
 - 70.1.3. submitted a request of resignation;
 - 70.1.4. been appointed or selected to other job or work positions.

Article 71. Dismissal of council chairman and members

- 71.1. The State Great Khural shall resign the Council chairman and members:
- 71.1.1. failure or inability to discharge official duties stated in laws, or violated work obligations severely or repeatedly;

- 71.1.2. found guilty by the Court, and sentenced by the Court decision;
- 71.1.3. violation of provisions of this law established by the authorized official;
- 71.1.4. Council chairman made decision independently on issues related to full power of the Council.

71.2. The State Great Khural shall discuss and make decision on resignation based on feedbacks of the nominating body of the member upon cases stated in Sections 71.1.1 and 71.1.3, and based on the decision of the relevant authority upon the case stated in Section 71.1.2 of this law.

Article 72. Appointment of a new council chairman and members

- 72.1. If the office term of Council chairman and members is terminated before the legal deadline, the authorized nominating body shall nominate and present candidates to the State Great Khural.
- 72.2. The office term of the Council member appointed according to Paragraph 72.1 of this law shall be same as the remaining period of the office term of the preceded member.

Article 73. Legal immunity of council chairman and members

- 73.1. In case Council chairman or member is arrested during criminal acts or at the crime scene with evidence, the relevant official shall report the incident to the chairman of the State Great Khural within 24 hours.
- 73.2. Council chairman or member(s) shall not be resigned or dismissed based on grounds other than provided in laws, or transferred to other job or position without his/her consent.

Article 74. Council's operational reports

- 74.1. The Council shall deliver its annual operational report (hereinafter as '*report*') to the State Great Khural within the first quarter of the following year. The report shall cover the following information:
 - 74.1.1. monitoring and inspection on compliance of the civil service legislations, results of dispute settlement in relation to violation of rights of candidates nominated for public positions;
 - 74.1.2. ~~conclusion on compliance and irregularities of civil servants' code of conduct, and proposal on follow-up actions;~~
/This sub-paragraph was considered invalid by the law of May 4, 2023/
 - 74.1.3. proposal on strengthening the civil service legislations;
 - 74.1.4. proposal of follow-up actions on strengthening the non-partisanship, just, transparent and responsible the civil service based on knowledge, skills and experience, and on civil servants' work conditions and social guarantees.
- 74.2. The State Structure Standing Committee shall discuss the report during its meeting and make conclusion accordingly.
- 74.3. The conclusion stated in Paragraph 74.2 of this law shall be published in the *State Information* journal and posted on the website of the Council.

CHAPTER TWENTY-TWO. DISPUTE SETTLEMENT

Article 75. Settlement of disputes in regard to violation of rights of core civil servant and candidates for the civil service positions

- 75.1. The central civil service authority shall resolve the disputes between the authorized nominating body/official and candidate for the public position in relation to issues stated in Articles 25, 26, 27, 45, 46, 47, 48, 52.2 and 66.1.11 of this law, and disputes on salary and wages, work conditions and social guarantees delivered by a core civil servant, unless otherwise provided in laws and regulations.
- 75.2. A civil servant or candidate for a public post shall deliver his/her complaint along with relevant documents to the civil service sub-council or the central civil service authority within 30 days.

- 75.3. The central civil service authority shall make decision to open a dispute case within 7 days after the complaint received, and review and settle the dispute within 30 days. If necessary, this timeframe may be extended for 14 days.
- 75.4. Once the dispute settlement case opened, the dispute review committee under the central civil service authority shall exercise the following functions:
- 75.4.1. inquire explanations from related persons;
 - 75.4.2. deploy specialists within the inspection work based on the consent with relevant institution(s);
 - 75.4.3. inquire necessary information, statistics, explanations, reference statements and other documents from relevant public and private organizations or officials free of charge;
 - 75.4.4. to assign tasks and requirements with certain timeframes to public and private organizations, individuals or officials to rectify irregularities and breaches detected during inspections and ensure their implementation;
 - 75.4.5. to transfer the inspection materials and documents to the relevant authority in case the breaches detected may have features of criminal acts.
 - 75.4.6. to be fully accountable for inspections, conclusions, explanations, rectification order and accuracy of documents and evidence;
 - 75.4.7. other functions stated in laws and regulations.
- 75.5. Council members stated in Paragraph 75.4 of this law shall comply with legislations, execute official duties justly free of external influences, respect legitimate interests and reputation of the state, public institutions, private entities and citizens, refuse inspecting issues related to spouses, family members and relatives, and conduct the inspections fully.
- 75.6. The State Great Khural shall approve the procedure for reviewing and resolving disputes stated in Paragraph 75.1 of this law.

Article 76. Revoking illegal decisions

- 76.1. The central civil service authority shall amend or revoke the decision taken in relation to human resource management and entry examinations of the civil service stated in Paragraph 75.1 of this law, if the decision found with no legal basis or justifications.
- 76.2. The illegal decision stated in Paragraph 76.1 of this law was taken by the Government, based on the notification of the central civil service authority the Government shall revoke its decision within 14 working days.
- 76.3. If the disputing party does not accept the decision of the central civil service authority, it may appeal and file lawsuit to the Court within 30 days since the decision informed.
- 76.4. The central civil service authority shall revoke the decision other than provided in Paragraph 76.7 of this law, in case the decisions of the central civil service authority and of the Court are not complied or even if the decision complied, the civil servant is laid off from the job position again, the central service authority shall revoke the disputed decision and deliver the notification proposing to resign the guilty official from the job position, to the relevant authority.
- 76.5. The authorized official stated in Paragraph 76.4 of this law shall comply the notification and respond back about its follow-up action within 7 days.
- 76.6. The authorized official who violated Paragraph 76.4 and 76.5 of this law shall be dismissed from the civil service for three years without a right of re-entry.
- 76.7. In case the Government made the illegal decision stated in Paragraph 76.4 of this law, the Government shall revoke its decision within 14 working days based on the notification delivered by the central civil service authority.

CHAPTER TWENTY-THREE. MISCELLANEOUS

Article 77. Entry into force

- 77.1. Regulations for additional pays stated in Section 57.2.2, additional pays of employment in the civil service stated in Section 57.2.4 and lump-sum grants for government support service employees stated in Paragraph 60.1 shall be effective from January 1, 2020. Cash

allowances under Sections 43.1.4 and Article 43.5 of the Law on Education, Section 15.4.1 of the Law on protecting livestock gene funds and health, Section 22.1.1 of the Law on Culture, Section 22.1.1 of the Law on Culture, Section 21.1.3 of the Law on Science and technology and Paragraph 29.2 of the Law on Health shall be provided until December 31, 2019.

77.2. This law shall enter into effect from January 1, 2019.

M. Enkhbold

Chairman, State Great Khural

INVESTMENT AND TRADE AGENCY