

LEGISLATIVE UPDATE: MONGOLIA REVISES ITS VISA REGULATIONS



On 7 July 2021, the Government of Mongolia adopted Resolution No.192 which approved the Regulation on Issuance of Mongolian Visas (the “**Visa Regulation**”).

The Visa Regulation became effective on 16 August 2021. Below we highlight some of the key changes introduced by the Visa Regulation.

1. CLASSIFICATION AND TYPES OF VISAS

Previously, the *Law of Mongolia on the Legal Status of Foreign Citizens*, enacted on 8 July 2010, classified visas into 11 categories.

Under the Visa Regulation, visas are classified into ten categories, namely diplomatic, official, investment, employment, study, family, immigration, personal, religious and temporary visas.

Further, the names of visa classifications have been changed and expanded. There are now 64 types of visas, and for example, the “HG” visa, which was previously issued to foreign citizens working under an employment agreement, has been changed to or renamed as a “C” visa. The “C” visa category is subdivided into the following types:

- (a) C1 visa for a foreigner working in the construction, roads, bridges and development sector;
- (b) C2 visa for a foreigner working in the science, education and information technology sectors;
- (c) C3 visa for a foreigner working in the geology, mining, oil and energy sectors;
- (d) C4 visa for a foreigner working in the financial, economic and legal sectors;
- (e) C5 visa for a foreigner working in the arts, culture and sports sectors;

- (f) C6 visa for a foreigner working in manufacturing and service sectors;
- (g) C7 visa for a foreigner working in the agricultural sector;
- (h) C8 visa for a foreigner working in the health sector;
- (i) C9 visa for a foreigner working in the humanitarian field;
- (j) C10 visa for a foreigner working in the field of care and services for household needs, and
- (k) C11 visa for a foreigner working in the transportation sector or in transportation of goods for export.

Affiliated persons of foreign citizens (i.e. spouse, partner, parents, grandparents and children) holding the above types of visas would be issued with a respective sub-type of the visa.

The “T” visa which was previously issued to foreign investors and executive officers of business entities with foreign investment, their branches or representative offices has been changed to and renamed as a “B” visa. The “B” visa is subdivided into following types:

- (a) B1 visa for investors of business entities with foreign investment;
- (b) B2 visa for foreigners appointed as an investor’s representative or as an

executive director of business entities with foreign investment; and

- (c) B3 visa for foreigners appointed to work as the head of representative offices of foreign legal entities.

B1-1, B1-2 and B1-2 visas are issued for affiliated persons of the above foreign citizens.

The “B” visa which was previously issued to foreign citizens visiting for business purposes has been changed to or renamed as a “K1” visa.

The “J” visa for tourism purposes has been changed to and renamed as a K2 visa.

The K1 and K2 visas are categorized as temporary visas. Further, the classification of temporary entry visa has now been expanded as follows:

- (a) K3 visa for border tourists;
- (b) K4 visa for foreigners participating in art, cultural and sports competitions and events, including making movies and other content;
- (c) K5 visa for foreigners carrying passengers and imported cargo;
- (d) K6 visa for transit foreigners;
- (e) K7 visa for foreigners participating in a short-term tourism program with the opportunity to work on equal terms in accordance with an international agreement of Mongolia; and
- (f) K8 visa for foreigners coming to receive medical care and services.

The K class of visas are new types of visas introduced in the Visa Regulation.

2. ELECTRONIC VISA SYSTEM

E-Visa

The Visa Regulation provides for different means of issuing visas including electronically, at border crossing ports and designated visa centers.

The issuance of visas electronically applies to three types of visas, namely K-2 for tourists, K-4 for foreigners participating in cultural, art and sports competitions and events and K-6 for transit foreigners.

The electronic visa application will be received through the www.evisa.mn website and will be processed by the Immigration Agency of Mongolia (the “IA”) within three days.

The list of countries from which electronic visas can be issued was approved by the joint Order No A/49, A/187 of the Minister of Justice and Home Affairs and the Minister of Foreign Affairs dated 17 August 2021. In total, electronic visas can be issued to foreign citizens of 36 countries.

The same Order also approves the list of countries where K2 or tourist visas would be issued at the border. The list includes 37 countries.

3. VISA ISSUING AUTHORITY

There have been some changes made with respect to the government entities authorized to issue visas.

Previously, the “B” visa or now “K1” visa was issued by the Ministry of Foreign Affairs (the “MoF”). However, the visa will now be issued by the IA only.

The MoF will continue to issue diplomatic and official visa permits and the respective visas, whereas all other visa permits and visas will be issued by the IA.

The foreign diplomatic missions of Mongolia will continue to issue visas as per the visa permits issued by the MoF and the IA.

4. OTHER CHANGES

Below are some of the other relevant changes introduced by the Visa Regulation:

- (a) the validity period of a visa permit was reduced from 90 days to 60 days;
- (b) the validity period of single and double “entry” and “transit” visas have been increased from 90 days to 150 days;
- (c) there is no longer an exit-entry visa;

- (d) minor changes have been made with respect to the grounds for refusing to issue visa permits, visas and revocation of visa permits; and
- (e) time period for re-application has been changed depending on the grounds for refusal.

5. VISA FEES

With the approval of the Visa Regulation, the Government of Mongolia adopted Resolution No.195 approving the amount of stamp duty fee and visa service fees. Compared to the visa and visa service fees that were in effect for the last ten years, the fees have now increased roughly twofold. Please refer Annex 1 for changes in the levels of fees.

6. CONCLUSION

It is consistent with international practice that Mongolia has expanded visa categories and types so that foreign citizens and their affiliated persons can apply for and obtain visas that more closely match their intended purpose of stay in Mongolia.

The introduction of a broader electronic visa system should also help to improve services offered to foreign citizens.

It is hoped that online services will be further expanded and improved to ease the process

of applying for and obtaining visa permits, issuing visas and registering with relevant government authorities.

It is yet to be seen how the new regulations would impact visas required for short-term consultancy tasks or experts visiting Mongolia to assist in large-scale or complex projects, which has previously been a concern for some business entities operating in the mining, construction and infrastructure sectors.

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ANNEX 1

No.	SERVICE NAME	PREVIOUS FEE AMOUNT	NEW FEE AMOUNT
1.	Issuance of a residence permit to a foreign citizen for official or private purposes	60,000 MNT	120,000 MNT
2.	Issuance of a residence permit to a foreigner for study, professional development, internship, research and development work	12,500 MNT	30,000 MNT
3.	Issuance or replacement of a residence permit for a foreign citizen or stateless person in Mongolia	7,200 MNT	15,000 MNT
4.	Extension of the residence permit of a foreign citizen or stateless person for official or private purposes	36,000 MNT	72,000 MNT
5.	Issuance or renewal of a travel document abroad to a stateless person	4,800 MNT	12,000 MNT
6.	Keeping a personal file and issuing a registration number to a foreign citizen	1,000 MNT	3,000 MNT
7.	Each change of residence address or other entry in the residence permit of a foreign citizen or stateless person	1,000 MNT	2,500 MNT
8.	An invitation to travel to Mongolia for private purposes	1,000 MNT	10,000 MNT
9.	A certificate of a foreign citizen	1,000 MNT	2,500 MNT
10.	Issuance of a new or re-issuance of a residence or travel card by a foreign citizen in the event of loss, invalidation or inability to use	36,000 MNT	36,000 MNT
11.	Issuance of a visa permit to a foreign citizen	1,000 MNT	2,500 MNT
12.	Issuance of a single-entry visa	54,000 MNT	45 USD or equivalent currency
13.	Issuance of a double-entry visa	81,000 MNT	60 USD or equivalent currency
14.	Issuance of a six-month multiple-entry visa	126,000 MNT	100 USD or equivalent currency
15.	issuance of multiple-entry visas for a period of six months to one year	252,000 MNT	200 USD or equivalent currency
16.	Issuance of a single transit visa	36,000 MNT	20 USD or equivalent currency
17.	Issuance of double transit visa	72,000 MNT	45 USD or equivalent currency
18.	Multiple entry transit visa	96,000 MNT	70 USD or equivalent currency
19.	Visa separation and visa transfer of citizens attached to one visa	16,000 MNT	10 USD or equivalent currency
20.	Extension of visa for up to seven days/each subsequent day	27,000 MNT/ 3,600 MNT	40,000 MNT/ 5,600 MNT