

# LAW ON THE POPULATION AND HOUSING CENSUS

## CHAPTER ONE

### General provisions

#### Article 1. Purpose of the law

1.1. The purpose of this law is to regulate the relations related to arrangement of the annual and inter-censal survey of Population and Housing census in Mongolia.

#### Article 2. Legislations

The legislation on population and housing census shall consist of the Constitution of Mongolia, Law on Statistics, The Archive Code, Law on Confidentiality of institutional information and Law on Confidentiality of individual information, and other relevant legislative acts in conformity with them.

#### Article 3. Definitions

3.1. In this law the following terms shall have the following meanings:

3.1.1. "population and housing census" is the total process of collecting, compiling, evaluating, analyzing and publishing or otherwise disseminating demographic, economic and social data pertaining of all persons in a country or ill a well delimited part of a country, within the time which is specified in this law;

3.1.2. "moment of census" shall be 00. 00 hour on the date of commencement of the time of the Census:

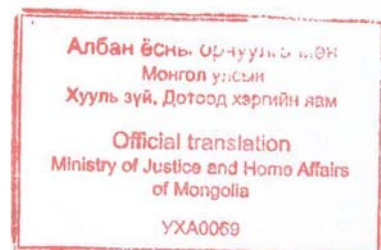
3.1.3."census units" means a individual, households, dwellings, and buildings containing dwellings;

3.1.4. "census staff" consists of members of census commissions specified in 13.5.2 of this law and their temporary staffs hired under a contract for services.

#### Article 4. Census conducting approaches

4.1. Following approaches shall use for conducting census:

4.1.1. traditional approach to count each individuals during the census time;



4.1.2. registration-based approach based on population registration;

4.1.3. sample survey-based approach.

## **Article 5. Principles of census conducting**

5.1. Census shall conduct in accordance to following principles:

5.1.1. to enumerate each person;

5.1.2. each area to be covered census should be enumerated as of the same well-defined point in time;

5.1.3. census information shall be typical and compliment;

5.1.4. to conduct census permanent frequency.

## **CHAPTER TWO**

### **The economic guarantee of census conducting**

## **Article 6. Census expense and its funding**

6.1. Following expense related to preparation and provision of census execution shall be compensated from the State budget:

6.1.1. salaries for unemployed and retired persons who are engaged as census staffs in central office responsible statistical activities as equal to minimum salary;

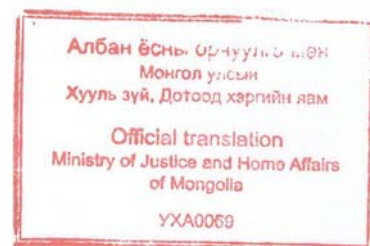
6.1.2. costs of training for census staffs, who are specified in 6.1.1 of this law and census advocacy and publicity to the public;

6.1.3 costs for printing certificate of employment for census staffs, census rules, census questionnaires, instructions for completing the census questionnaires and tables of census results, and distributing them census commissions and receive them from census commissions;

6.1.4. costs of stationeries, post, travel and expenses;

6.1.5. other costs are specified by the State Great Khural.

6.2. The amount of costs, which to be compensated from the state budget specified in 6.1 of this law is determined by the State Great Khural on every occasion.



6.3. Following costs related to preparation and provision of census execution shall be compensated from the local budget:

6.3.1. salaries for unemployed and retired persons who are engaged as a census officer in responsible statistical activities as equal to minimum salary;

*The Constitution of Mongolia was published in Compilation of State Information #1, 1992.*

*The Law on Statistics published in Compilation of State Information #7, 1997.*

*The Archive Code has published in Compilation of State Information #2, 1998.*

*The Law on Confidentiality of institutional information published in Compilation of State Information #7, 1995.*

*The Law on Confidentiality of individual information was published in Compilation of State Information #7, 1995.*

6.3.2. costs of training for census staffs, who are specified in 6.3. of this law and census advocacy and publicity to the citizens of given areas;

6.3.3. meal cost for census staffs during census period; 6.3.4. other costs are specified in legal acts.

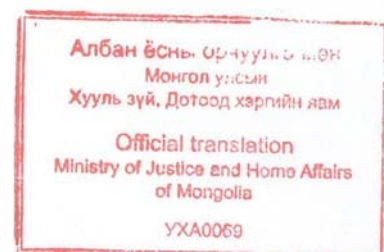
6.4. The amount of costs, which to be compensated from the local budget specified in 6.3 of this law is determined by the particular level of Citizens' Representatives Meeting on every occasion.

6.5. The Governors of particular administrative units and relevant central government organizations shall provide venue, transportation and necessary tools of communication and other for census commissions.

6.6. The employers, which other census staffs (excepting staffs identified in 6.1.1, 6.3.1 of this law) are belonging shall pay their salaries as equal to their monthly average salary during the census period.

### **CHAPTER THREE**

#### **The types, period of duration and scope of the census**



## **Article 7. Types of census**

7. 1. The censuses shall have the following types:

7.1.1. Nation wide annual census for every 10 years;

7.1.2. Inter-censal survey for every 5 years between annual censuses.

## **Article 8. Period of duration and scope of regular census**

8.1. The annual census for every 10 years in nation wide shall be conducted the year of 2010.

8.2. The State Great Khural shall announce moment of census not less than two years before conducting census.

8.3. The census enumeration shall be commenced at the moment of census and it completed within a week.

8.4. If in case of could not able to conduct census on fixed time due to special situation as natural disaster, endemic diseases, other calamities, war and public disorder covered whole or some parts of the country, the State Great Khural shall re-set moment of census based on comments given by State Census Commission after ending the special situation and census shall conduct this fixed time period.

## **Article 9. Period of duration and scope of inter-censal survey**

9.1. The National Statistical Commission shall set up moment of census, period of duration and scope of intermediate census on every occasion.

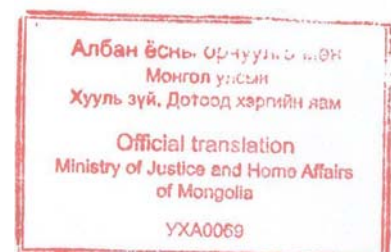
9.2. The inter-censal survey shall be as demography, health and socio-economic comprehensive survey to update and expand annual census data.

## **Article 10. Enumeration units**

10.1. The population census shall be covered the persons as followed:

10.1.1. Citizens of Mongolia who are residing within the territory of Mongolia;

10.1.2. Foreigners and stateless persons who are residing in Mongolia more than 183 days and foreigners, stateless persons who have taken permissions to stay for over 6 months in



Mongolia from the competent organizations;

10.1.3. Citizens of Mongolia and their family members who are residing in abroad at the diplomatic representative offices, consulates and in the international organizations;

10.1.4. Citizens of Mongolia who are temporarily absent from Mongolia due to work, study and stay in abroad by personal reasons.

10.2. The following types of living quarters shall be covered in the housing census:

10.2.1. House

10.2.2 Apartment

10.2.3 All types of gers

10.2.4 Public living quarters

10.2.5 Non-living quarters and other places;

## **Article 11. Census data**

11.1. The following major data collected by the census:

11.1. 1 . demographic and social indicators:

clan name, surname and name,

date of birth,

age and sex,

ethnicity/nationality

citizenship,

education and literacy,

religion,

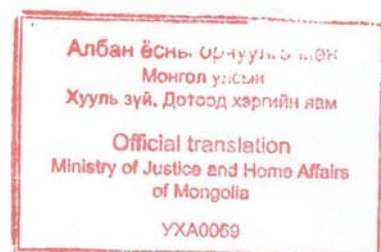
11.1.2 Geographic and migration data

place of birth,

place of usual residence and residence on census days,

duration of residence,

place of residence five years ago from the census period,



11.1.3 economic indicators

- a. employment status,
- b. occupation,
- c. types of industry,
- d. unemployment and its reasons,

11. 1.4 data on housing conditions

- a. type and ownership of dwelling,
- b. number of rooms and floor space,
- c. kitchen,
- d. water supply, bathroom and shower,
- e. waste disposal, toilet
- f. electricity, heating and telephone/communication

11.2. The National Statistical Commission can include additional indicators, which required to demographic, migration, socio-economic and housing condition survey except of indicators specified in 11.1 of this law to census data regarding to particular situation.

## **CHAPTER FOUR**

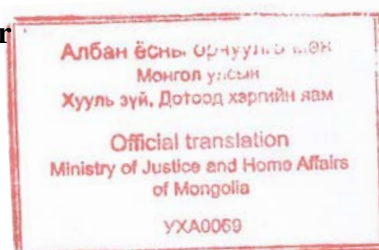
### **Census composition**

#### **Article 12. Organization responsible for carrying out Census**

12.1 National Statistic Commission shall have professional, specialized and permanent unit in its structure responsible for census.

12.2 Census unit of National Statistic Commission stated in the article 12.1 of this law shall analyze census and intermediate census data, conduct detailed survey and calculation, disseminate data to public, and monitor increasing demand on data, needs and on implementation of national development goals as well as study relation between population, economy and social development.

#### **Article 13 Organization responsible for carrying out Census and its power**



13.1 The regular census shall be carried out by State Census Committee /hereinafter "State Committee"/, National Statistic Commission with participation of organization stated in article 15.1 of this Law.

13.2 The State Great Khural /the Parliament/ upon submission of proposal by the National Statistic Commission shall establish State Committee, consisting of secretary and members before 2 years prior to regular census.

13.3 State Committee shall be recalled after submission of census results to the State Great Khural

13.4 Secretary of the State Committee stated in article 13.2 of this Law shall meet the following requirements:

13.4.1 Employed in public service sector at least 3 years;

13.4.2 Foreign language knowledge;

13.4.3 Higher degree in Economics;

13.4.4 Citizen of Mongolia;

13.5 State Committee exercises following powers:

13.5.1 Selects census methodology, carries out census on agreed upon time according to the census plan,

13.5.2 Establishes boards /hereinafter "Census Board/ responsible for carrying out census at aimag, capital city and related central government agencies;

] 3.5.3 Adopts operation rule of Census Board;

13.5.4 Ensures and monitors implementation of Law on Census;

13.5.5 Coordinates state activities related to census carrying out issues at administrative units.

13.5.6 If necessary, hears Census Board data related to carrying out of census, makes decisions and takes required measures on matters related to census;

13.5.7 Provides Census Board with guidelines and directives within preparation and during census.



13.5.8 Discusses and adopts results of the census and submits to the State Great Khural

13.5.9 Other specific powers vested by Laws.

13.6 National Statistic Commission shall be responsible for providing the State Committee with professional, methodological, technical and shall have following obligations:

13.6.1 Conduct census with provision of unified management and coordination at the national level;

13.6.2 Provide professional and methodological assistance to State Committee and its members;

13.6.3 Draft and discuss decision of the State Committee;

13.6.4 Prepare session, take session notes, design, publish and disseminate the decision of State Committee;

13.6.5 Approve census questionnaire, methodology, guideline and recommendations to implement the Law on Census, publish and distribute census questionnaire;

13.6.6 Compile results of the census and introduce to State Committee;

13.6.7 Develop and analyze census data, inform public on the results of the census;

13.6.8 Conduct necessary training and promotion;

13.6.9 Other obligations vested by Law or State Committee;

13.7 Census Board shall be established according to article 13.5.2 of this Law and shall have following obligations;

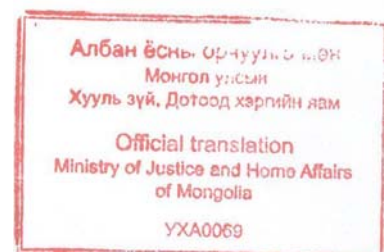
13.7.1. Organize population and housing data collecting within their territory in accordance with the procedure rules;

13.7.2 Engage census staff by contract, conduct necessary training and evaluate performance;

13.7.3 Perform duties given by State Committee and the National Statistic Commission;

13.7.4 Compile census data indicators and deliver to higher level organization;

13.7.5 Other duties;



**Article 14 Organization responsible for carrying out inter-censual survey and its power;**

14.1 Inter-censual survey shall be carried out by National Statistic Committee.

14.2 National Statistic Committee for carrying out inter-censual survey shall have following powers:

14.2.1 Provide Commission and related organizations with the unified guidelines and directives.

14.2.2 Powers stated in articles 13.5. I, 13.5.4-13.5.6, 13.6.1, 13.6.5, 13.6.7, 13.6.8;

14.2.3 Other powers vested by Laws;

**CHAPTER FIVE**

**State, non-governmental organization and citizen's participation  
in carrying out census**

**Article 15. Powers of State central administrative organization regarding the census**

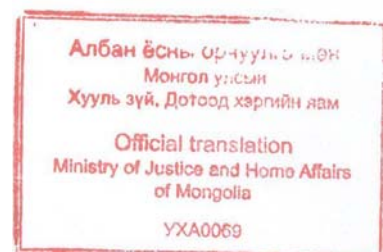
15.1. The following state central administrative organizations shall participate 111 carrying out census with below mentioned duties:

15.1.1. State central administrative organization responsible for foreign affairs of Mongolia shall carry out census of Mongolian citizens that live abroad temporary and permanently;

15.1.2. State central administrative organization responsible for legal matters of Mongolia shall carry out census of border and domestic troops, detained suspects and accused as well as ensuring security during the census;

15.1.3. State central administrative organization responsible for defence matters shall carry out census of fixed-term military servant and contractual military servant.

15.2. Other State central administrative organizations, except for those specified in Article 15.1, shall participate in carrying out censuses in their field of operation according



to guidelines and directives adopted by the State Commission.

**Article 16. Powers and duties of Local self-government regarding the census.**

16.1. In conducting the census, Khurals of Representatives of Citizens of all the levels shall have the following rights and obligations:

16.1.1. to include the costs specified in Article 6.3 in the their respective budget;

16.1.2. to pay attention to information presented by Governors of respective administrative units with regard to the matters defined in Article 16.2 and provided by the census commission concerning issues related to the conduct of the census and to resolve pressing issues within their rights;

16.1.3. to make decisions on matters related to the conduct of the census at regional level within the law and regulations;

16.2. Governors of all the levels of administrative and territorial units shall take part til the census operations with the following duties:

16.2.1. to take preparatory steps to conduct the census at their respective territories;

16.2.2. to make population and household registration complete and update the database prior to the conduct of the census;

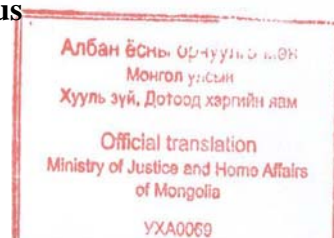
16.2.3. to make arrangements for the census operations at their respective territories according to guidelines and directions on the matters of the census provided by the state commission and the National Statistical Commission;

16.2.4. to make names of streets and squares, addresses and numbers of apartments and houses in their respective territories well-arranged with respect to the conduct of the census and designate borders of territories where the census will be conducted and make mapping;

16.2.5. to provide the census commission with office rooms, space and furniture to be used to store census materials, and other necessary equipment and facilities; and

16.2.6. to take other responsibilities specified in regulations.

**Article 17. Responsibilities of citizens with respect to the conduct of the census**



17.1. Citizens shall take the following responsibilities:

17.1.1. respond completely and accurately to the census questionnaire;

17.1.2. allow enumerators to enter own apartments and houses;

17.1.3. get a document which witnesses a citizen was covered by the census from enumerators;

## **CHAPTER SIX**

### **Miscellaneous**

#### **Article 18. Confidentiality, storage and protection of reported data of the census**

18.1. By law the reported data of the census shall be considered as confidentiality of individual and the confidentiality of the data shall not be disclosed within periods listed below:

18.1.1. until the census staff are discharged from their respective jobs; and

18.1.2. until the census data are allowed to be available to the general public according to 25.8 of the Law on Archive after the census staff are discharged from their respective jobs.

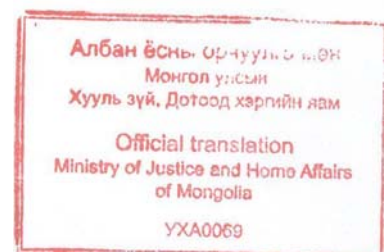
18.2. The census data shall be archived by and at the National Statistical Commission according to 20.3, 20.4, and 23.1.6 of the Law on Archive and handed over by it to the Department of National Archive according to 23.1 of above-mentioned Law on Archive;

18.3. The census data on individuals shall not be utilized by and disclosed to anyone in other formats, officially produced and compiled by the National Statistical Commission to make them available to the public.

18.4. Chairman of the National Statistical Commission shall approve a procedure for collection, production, and storage of the census data, and public access to the data.

#### **Article 19. Sanctions for violation of legislation**

19.1. Unless the infringement is dealt with by the criminal law, any person who breaches the law on census shall be liable to administrative sanctions. They are as follows:



19.1.1. for violation to perform obligations stipulated in sub-paragraphs 16.2.2-16.2.5 of this law by an official, a fine in togrogs equal to 5-10 fold the minimum amount of remuneration shall be imposed by the court;

19.1.2. for failure to perform obligations stipulated in sub-paragraph 17.1 of this law, a fine in togrogs equal to 1-5 fold the minimum amount of remuneration shall be imposed on individuals by state statistical inspectors;

19.1.3 for violation of sub-paragraph 18.1 of this law by anyone disclosing the data and information, a fine in togrogs equal to 1-5 fold the minimum amount of remuneration shall be imposed by or a decision to arrest for 7-14 days shall be made by the court; and

19.1.4. for violation sub-paragraph 18.3 of this law by an official, a fine in togrogs equal to 5-10 fold the minimum amount of remuneration shall be imposed by or a decision to arrest for 7-14 days shall be made by the court.

## **Article 20. The effective date of the law**

20.1. This law shall be effective from 25 January, 2008.

Chairman of the State Ikh Khural

D. Lundeejantsan

