

LAW OF MONGOLIA

December 15, 2011

Government House, Ulaanbaatar

PARLIAMENT (STATE GREAT HURAL) OF MONGOLIA ELECTION

(Revised version)

CHAPTER ONE GENERAL PROVISIONS

Article 1. Purpose of the Law

1.1. The purpose of the Law is to define primary principles and procedures of Parliament (State Great Hural) of Mongolia elections, ensure the right of a citizen of Mongolia to elect and be elected, and regulate relations arising from the organization and holding of elections.

Article 2. Legislation on Parliament (State Great Hural) of Mongolia election

2.1. The legislation on Parliament (State Great Hural) of Mongolia election consists of the Constitution of Mongolia,¹ this law, and other legal acts passed in conformity with these laws.

Article 3. Legal terms and definitions

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

3.1.1. "Voter" means an eligible voting citizen of Mongolia;

3.1.2. "Eligible voting citizen" means a citizen who has attained the age of eighteen and has the full legal capability set forth in Article 15.1 of the Civil Law;²

3.1.3. "Candidate" means a citizen whose candidacy has been proposed for a Member of Parliament (State Great Hural) of Mongolia and has registered and obtained a candidate identification card as per the procedures set forth in this Law;

3.1.4. "Attaining the age of eighteen" means a citizen's attaining this age on or before the polling day as counted from his/her birthday;

3.1.5. "Attaining the age of twenty five" means a citizen's attaining this age on or before the polling day as counted from his/her birthday;

3.1.6. "Party member" means a citizen who has become a member of and registered with any political party;

¹ Constitution of Mongolia published in issue 1, "State Information" bulletin 1992

² Civil Law published in issue 7, "State Information" bulletin 2002

3.1.7. “State-owned legal entity” means the state authority, office, or state-owned enterprise set forth in Articles 13 and 15 of the State and Local Property Law;³

3.1.8. “Partially state-owned legal entity” means the legal entity set forth in Article 21 of the State and Local Property Law that holds state-owned shares or is partially invested by the state.

Article 4. Parliament (State Great Hural) of Mongolia election

4.1. A Parliament (State Great Hural) of Mongolia election (hereinafter referred to as “election”) is a principal means of constituting the legislature with their representatives by the people of Mongolia through the exercise of state power.

4.2. The types of an election shall be a regular election, non-regular election, by-election, and re-election.

4.3. “Regular election” means an election that is held every four years pursuant to Article 21.2 of the Constitution of Mongolia.

4.4. A regular election must be held within the time frame set forth in Article 4.3 hereof and it is prohibited to change the time frame set forth in Article 4.3 hereof in circumstances other than the states of emergency set forth in the Constitution of Mongolia.

4.5. “Non-regular election” means an election to be held if the Parliament (State Great Hural) of Mongolia (hereinafter referred to as “Parliament (State Great Hural)”) decides to be dissolved by itself pursuant to Article 22.2 of the Constitution of Mongolia or the President of Mongolia decides to dissolve the Parliament (State Great Hural).

4.6. “By-election” means an election to be held to fill the seat assumed and dropped by a Member of Parliament (State Great Hural) pursuant to Articles 52.1 and 52.2 hereof.

4.7. “Re-election” means a new election to be held in the country’s entire territory after a regular or non-regular election is deemed cancelled as a whole or in the districts after a regular, non-regular, or by-election is deemed cancelled in one or more districts.

4.8. 76 members shall be elected for the Parliament (State Great Hural) pursuant to Article 21.1 of the Constitution of Mongolia.

4.9. The first more than 48 candidates shall be elected from the slate set forth in Article 27.1 hereof in the 26 electoral districts set forth in Article 12 hereof and no more than 28 candidates from the slate of a political party or electoral coalition of political parties (hereinafter referred to as “party or coalition”) prepared pursuant to Article 49.1.6 hereof respectively.

Article 5. Primary principles of election

³ State and Local Property Law published in issue 11, “State Information” bulletin 1996

5.1. The election system shall undertake to ensure the right of an eligible voting citizen of Mongolia to elect a Member of Parliament (State Great Hural) based on universal, free, and direct suffrage by secret ballot pursuant to Article 21.2 of the Constitution of Mongolia.

5.2. An election shall be universal and each eligible voting citizen of Mongolia (hereinafter referred to as “eligible voting citizen”) is entitled to participate therein.

5.3. A voter shall participate in an election based on direct suffrage without any representation and cast his/her vote by himself/herself.

5.4. An election shall be free and one is forbidden to force or inhibit a voter from deciding whether to participate in an election by himself/herself and casting his/her vote freely.

5.5. A voter shall be allowed to express his/her view and cast his/her vote by secret ballot without any outside influence.

5.6. A citizen who has intentionally inhibited a voter from exercising his/her right set forth in Articles 5.4 and 5.5 hereof in any manner shall be subject to a fine in togrogs (Mongolian national currency) equal to one-two-fold increase in the monthly minimum wage, official – that equal to two-three-fold increase in the monthly minimum wage, and legal entity – that equal to three-seven-fold increase in the monthly minimum wage respectively.

5.7. A violation of Articles 5.4 and 5.5 hereof committed by a public servant shall justify dismissing him/her giving him/her no right to return to the public service for a one-year period.

Article 6. Right of citizen of Mongolia to elect and be elected

6.1. An eligible voting citizen is entitled to participate in an election without being discriminated against due to nationality, ethnicity, language, race, gender, social origin and status, property, employment, occupation, religion, opinion, and education.

6.2. A citizen of Mongolia who has met the requirements set forth in this Law and attained the age of twenty five and has the full legal capability shall exercise the right to be elected for a Member of Parliament (State Great Hural).

6.3. Illegal restriction of the right of a citizen of Mongolia (hereinafter referred to as “citizen”) to elect and be elected is prohibited.

6.4. A citizen whose legal incapability is proven by a court decision or who is serving imprisonment shall not exercise the right to participate in an election.

6.5. “Proof of the legal incapability by a court decision” shall be construed as proof of the citizen’s legal capability given by a court of law as per the procedures set forth in Article 18.2 of the Civil Law and Articles 141-143 of the Civil Procedure Law.⁴

⁴ Civil Procedure Law published in issue 8, “State Information” bulletin 2002

6.6. "Citizen serving imprisonment" shall be construed as a citizen serving imprisonment as per an effective court decision and also include a citizen who is avoiding imprisonment or who is out of prison on short leave.

6.7. An eligible voting citizen residing in a foreign country in which a diplomatic mission of Mongolia is located and registered with the state register shall abide by the following procedures to participate in an election.

6.7.1. An eligible voting citizen residing in a foreign country should notify of his/her participation in the election and register and participate therein in person;

6.7.2. An eligible voting citizen residing in a foreign country should vote for a party or coalition that is participating in the election only; and

6.7.3. Polling of an eligible voting citizen residing in a foreign country should be held and his/her vote – sealed and delivered to the General Election Commission within at least 15 days before the polling day.

6.8. Procedures related to participation of an eligible voting citizen residing in a foreign country in which a diplomatic mission of Mongolia is located in an election and polling shall be jointly approved and enforced by the General Election Commission and Cabinet Member in charge of foreign relations.

6.9. A citizen who has violated Article 6.3 hereof shall be subject to a fine in togrogs equal to two-four-fold increase in the monthly minimum wage, official – that equal to three-five-fold increase in the monthly minimum wage, and legal entity – that equal to five-seven-fold increase in the monthly minimum wage respectively.

6.10. A violation of Articles 6.3 hereof committed by a public servant shall justify dismissing him/her giving him/her no right to return to the public service for a one-year period.

Article 7. Right to propose candidate for Member of Parliament (State Great Hural)

7.1. The party or coalition set forth in Article 23.1 hereof is entitled to propose a candidate for a Member of Parliament (State Great Hural).

7.2. Provided that the citizen set forth in Article 6.2 hereof obtains support of at least 801 voters from one electoral district he/she shall be entitled to propose his/her candidacy for a Member of Parliament (State Great Hural) as an independent in the electoral district.

Article 8. Setting and announcement of election date

8.1. The Parliament (State Great Hural) shall set and announce the election date within at least 60 days before the polling day.

8.2. The polling day of a regular election shall be one of the working days in the last week in June of the election year.

8.3. “Election year” shall be construed as a year in which the regular election set forth in Article 4.3 hereof shall be held.

8.4. The polling day set forth in Article 8.2 hereof shall be a public holiday.

8.5. In the event a regular election can’t be held due to the extraordinary circumstances such as natural disaster, other unforeseen danger, and state of war and public disorder set forth in Articles 25.2 and 25.3 of the Constitution of Mongolia affecting the country’s entire or partial territory, the regular election of the Parliament (State Great Hural) of Mongolia shall be postponed.

8.6. In the event the extraordinary circumstances set forth in Article 8.5 hereof arise after the Parliament (State Great Hural) of Mongolia makes and approves a decision to set and announce the election date, the Parliament (State Great Hural) of Mongolia shall repeal its decision that set and announced the election date and discontinue regular election activities.

8.7. In the event the Parliament (State Great Hural) of Mongolia postpones the election pursuant to Article 8.5 hereof or repeals its decision that set and announced the election date and discontinues regular election activities pursuant to Article 8.6 hereof, relations arising from the setting and announcement of the regular election date after the extraordinary circumstances set forth in Articles 25.2 and 25.3 of the Constitution of Mongolia end shall be regulated under Articles 30.5 and 30.6 of the Parliament (State Great Hural) of Mongolia Law.⁵

Article 9. Principles for election activity performance

9.1. A state or local self-government authority and its officials to organize an election or party or coalition to participate therein or other authorities, organizations, and officials shall abide by the following principles in organizing or participating in an election.

9.1.1. Rule of law;

9.1.2. Transparency;

9.1.3. Integrity;

9.1.4. Expeditious, objective, and fair dispute resolution; and

9.1.5. Compulsory imposition of legal liability on an authority or organization or official that has violated a voter’s rights and election legislation.

9.2. Decisions on election organization and preparation made and approved by election committees within the bounds of their powers granted under this Law to ensure that they are abided by the public shall be made public through the media.

⁵ Law on Parliament (State Great Hural) of Mongolia published in issue 8, “State Information” bulletin 2006

9.3. The principle of transparency of election organization shall be inapplicable to voting by secret ballot.

9.4. A media outlet or its official is obligated to disseminate accurate and objective information on election activities.

9.5. A non-governmental organization obligated and committed to engaging citizens in managing state affairs under its charter is entitled to monitor and assess the compliance of election committees or other authorities or organizations or officials that engage in organizing an election with election legislation as per procedures issued by the General Election Commission and raise voter education and knowledge and provide methodology and assistance for voters in exercising their rights, and the like to assist in holding a fair election as provided in laws.

9.6. A chairman of an election committee who has violated Article 9.2 hereof shall be subject to a fine in togrogs equal to two-three-fold increase in the monthly minimum wage, media outlet that has violated Article 9.4 hereof – that equal to fifteen-twenty-fold increase in the monthly minimum wage, and official – that equal to two-three-fold increase in the monthly minimum wage respectively.

Article 10. Economic guarantee for election activities

10.1. The following expenses in relation to election organization shall be financed by the public budget.

10.1.1. Operating expenses of electoral bodies and expenses for candidate identification cards, staff from a party or coalition's electoral bodies, aides to candidates, electioneers, and election observers, and ballot papers, independent's supporter-voter signature collection forms, electoral rolls, election outcomes and data forms, letterhead, stamps, seals, and wax for electoral district, sub-district, and unit committees, and polling equipment and software, and marking devices, and purchase, lease, application, protection, storage, maintenance, printing, manufacturing, transportation, and delivery thereof;

10.1.2. Expenses for ballot boxes and supplies for facilities in which electoral unit committees shall operate and polling stations;

10.1.3. Expenses for printing and delivery of election legislation and other legal acts and manuals in relation to election organization;

10.1.4. Training expenses for chairmen, secretaries, and members of electoral district, sub-district, and unit committees in relation to election organization;

10.1.5. Expenses for publicity and promotion of election legislation and dissemination of information on election organization and preparation and its process and timing for voters;

10.1.6. Expenses for monitoring of election financing and its disbursement by parties, coalitions, and candidates;

10.1.7. Expenses for holding re-polling, non-regular election, or re-election;

10.1.8. Expenses for cash bonuses and food for chairmen, secretaries, and members of election committees in a period in which they shall work in election committees;

10.1.9. Expenses for stationery, mail, communications, transportation, and per diems for election committees;

10.1.10. Expenses that may arise in the event of extraordinary circumstances; and

10.1.11. Other expenses approved by the Parliament (State Great Hural).

10.2. The Parliament (State Great Hural) of Mongolia shall approve the expenses to be financed by the public budget set forth in Article 10.1 hereof from time to time based on calculation made by the General Election Commission in consideration of the population size determined by the state registration office.

10.3. State- and local government-owned or partially state- and local government-owned legal entities shall provide facilities in which district, sub-district, and unit committees shall operate and polling stations free of charge.

10.4. A governor of an administrative and territorial unit on a particular level shall be responsible for providing facilities, transportation, communications, and other means required for district, sub-district, and unit committees.

10.5. State central and local audit offices shall conduct audit and give an opinion on the performance of the expenses set forth in Article 10.1 hereof.

10.6. An official who has violated Article 10.3 hereof shall be subject to a fine in togrogs equal to two-three-fold increase in the monthly minimum wage, legal entity – that equal to three-seven-fold increase in the monthly minimum wage, and governor that has violated Article 10.4 hereof – that equal to two-three-fold increase in the monthly minimum wage respectively.

CHAPTER TWO STRUCTURE OF ELECTORAL TERRITORY

Article 11. Division of electoral territory

11.1. The electoral territory shall be the territory of Mongolia.

11.2. The electoral territory in which the 48 Members of Parliament (State Great Hural) stipulated in Article 4.9 hereof shall be elected shall be divided into electoral districts (hereinafter referred to as “district”) created pursuant to Articles 12.1 and 12.2 hereof.

11.3. A district shall be split into electoral units (hereinafter referred to as “unit”).

Article 12. District and its creation

12.1. The Parliament (State Great Hural) shall create 26 districts in consideration of the population size and division of administrative and territorial units in aimags (provinces) and capital city districts and set the number of mandates in districts, mandate numbers, territories, and centers within at least six months before the polling day.

12.2. In the event the population size in an aimag or capital city district is below the national average thereof for district creation, a district that combines an adjacent aimag or capital city district may be created.

12.3. The different national average of the population size for district creation shall be set for aimags and capital city.

12.4. The General Election Commission may put forward a proposal to change districts to the Parliament (State Great Hural) of Mongolia in the following cases.

12.4.1. In case a change made to the division of administrative and territorial units can affect the structure of districts; and

12.4.2. In case the population size changed by more than 20 percent in a particular district in the period following the previous election can affect the structure of the district.

Article 13. Unit and its creation

13.1. Leaders of a local civil representative assembly (hural) of a soum (sub-province) or city district shall create units based on the database on permanent places of residence of residents from administrative and territorial units provided by the state administrative authority in charge of state registration and announce unit territories and centers before February 15 of the regular election year to hold polling and count votes.

13.2. One unit shall have up to 2,000 voters in one soum, up to 2,500 in one aimag center, and up to 3,000 in one capital city district.

13.3. Organized separation of voters from an already created unit from the unit due to extraordinary circumstances and integration of units or creation of a new unit may be resolved within at least seven days before the polling day.

CHAPTER THREE ELECTORAL BODY AND ITS STRUCTURE AND POWERS

Article 14. System of electoral bodies

14.1. The system of electoral bodies shall consist of central and local electoral bodies.

14.2. The central electoral body shall refer to the General Election Commission and local bodies – an electoral district committee (hereinafter referred to as “district committee”), sub-district committee

(hereinafter referred to as “sub-district committee”), and electoral unit committee (hereinafter referred to as “unit committee”).

14.3. The General Election Commission shall organize election activities nationwide, district committees in district territories, sub-district committees in soums and city districts, and unit committees in administrative and territorial units respectively.

14.4. Election committees shall adhere to the principle of hierarchy and inferior election committees must enforce legal decisions made by superior election committees and superior election committees are entitled to repeal illegal decisions made by inferior election committees.

14.5. Only a principal (bona fide) public servant or assistant public servant shall be appointed and hired as part of the composition of a district, sub-district, or unit committee.

14.6. A representative of any party or coalition that is participating in the election or state political official, justice of the Constitutional Court, justice, prosecutor, or candidate for a Member of Parliament (State Great Hural) is forbidden to be part of the composition of an election committee.

14.7. A district, sub-district, or unit committee shall exercise its powers from the date it is created until the General Election Commission discontinues activities of the district committee and district committee – those of its sub-district and unit committees.

14.8. A chairman, secretary, or member of a district, sub-district, or unit committee is forbidden to conduct or organize any illegal action or support it in other manners such as publicity and promotion of a party or coalition or candidate that is participating in the election, intentional inhibition of the exercise of voter’s right to vote, polling, or vote counting for this purpose, voting on someone else’s behalf, damaging of wax and seal of a sealed mobile ballot box or vote counting machine, signature forging, replacement of a ballot paper, and polling with a spoilt ballot paper.

14.9. Chairmen, secretaries, and members of election committees shall adhere to the code of ethics for election committee member approved by the Parliament (State Great Hural).

14.10. A public servant, candidate, electoral body of a party or coalition that is participating in an election, and its staff, aide to candidate, electioneer, and other entities are forbidden to interfere in and inhibit election committees from organizing the election and monitoring the enforcement of election legislation.

14.11. In circumstances other than those in which a chairman, secretary, or member of a district, sub-district, or unit committee is apprehended when he/she is committing an offense or with evidence for alleged offense on the scene in the period of election organization, it is prohibited to bring a criminal charge against, apprehend or detain him/her without the superior election committee’s consent and transfer him/her to another job without his/her consent and dismiss him/her from his/her job at the administration’s discretion.

14.12. State and local self-government authorities and business entities and organizations are obliged to engage in organizing an election within the bounds of their powers set forth in this Law, Law on

Mongolian Administrative and Territorial Unit and its Administration,⁶ and other applicable laws, and address legal demands put forward by election committees on appropriate levels and assist them in performing the tasks.

14.13. In the event a violation of Article 14.8 hereof isn't serious enough to bring a criminal charge against the chairman, secretary, or member of the election committee, he/she shall be removed from the composition of the election committee and the violation shall justify dismissing the public servant giving him/her no right to return to the public service for a one-year period.

14.14. An official who has violated Article 14.10 hereof shall be subject to a fine in togrogs equal to two-three-fold increase in the monthly minimum wage, candidate or other persons or entities – that equal to one-two-fold increase in the monthly minimum wage, party or coalition – that equal to three-seven-fold increase in the monthly minimum wage, official who has violated Article 14.12 hereof – that equal to two-three-fold increase in the monthly minimum wage, and legal entity – that equal to three-seven-fold increase in the monthly minimum wage respectively.

14.15. A public servant who has violated Article 14.11 hereof shall be subject to a disciplinary sanction stipulated in applicable laws.

Article 15. The General Election Commission and its powers

15.1. The legal status, structure, and operating procedures of the General Election Commission shall be set as provided in laws.

Article 16. District committee and its powers

16.1. The General Election Commission shall create district committees each of which consists of a chairman, secretary, and odd number of 7-13 of members and make them public nationwide within at least 55 days before the polling day.

16.2. A district committee shall exercise the following powers in its territory.

16.2.1. To plan to organize an election and take action to organize it;

16.2.2. To monitor the enforcement of election legislation;

16.2.3. To provide collective coordination, management, and methodology for activities of its sub-district and unit committees;

16.2.4. To set uniform numbers for its unit committees;

16.2.5. To dispose public funds allocated by the General Election Commission for their purposes and distribute them to its sub-district and unit committees as per applicable procedures and monitor disbursement thereof;

⁶ Law on Mongolian Administrative and Territorial Unit and its Administration published in issue 2, "State Information" bulletin 2007

16.2.6. To register and issue identification cards for candidates proposed in the district;

16.2.7. To coordinate activities of its district and unit committees and state and local-government authorities on appropriate levels in relation to election organization in the territory, hear reports from their senior officials, and take necessary action;

16.2.8. To review and resolve a petition or complaint about a decision made by its sub-district or unit committee and respond to it in writing;

16.2.9. To sum up election outcomes of the district based on decisions made by its sub-district and unit committees on polling outcomes and deliver them to the General Election Commission and make them public;

16.2.10. To organize re-polling, by-election, and re-election within the bounds of its powers and as per legislation;

16.2.11. To sort out election documents as per procedures approved by the General Election Commission and submit them to the General Election Commission;

16.2.12. To perform tasks assigned by its superior election commission as provided in laws in relation to election organization; and

16.2.13. Other powers provided in laws.

Article 17. Sub-committee and its powers

17.1. A district committee shall create sub-district committees each of which consists of a chairman, secretary, and 5 or 7 members in one single soum or city district if need be and make them public in its territory within at least 50 days before the polling day.

17.2. A sub-district committee shall exercise the following powers in its territory except those stipulated in Articles 16.2.1, 16.2.2, and 16.2.7 hereof.

17.2.1. To provide collective coordination, management, and methodology for activities of its unit committees;

17.2.2. To dispose public funds allocated by the district committee for their purposes and distribute them to its unit committees as per applicable procedures and monitor disbursement thereof;

17.2.3. To review and resolve a petition or complaint about an issue that falls within its powers and respond to it in writing;

17.2.4. To sum up election outcomes of the district based on decisions made by its unit committees on polling outcomes and deliver them to its district committee and make them public;

17.2.5. To perform tasks assigned by its superior election committee as provided in laws in relation to election organization;

17.2.6. To sort out election documents as per procedures approved by the General Election Commission and submit them to its district committee; and

17.2.7. Other powers provided in laws.

Article 18. Unit committee and its powers

18.1. A district committee shall create unit committees each of which consists of a chairman, secretary, and members and make them public in its territory within at least 45 days before the polling day.

18.2. The composition size of a unit committee shall be set in consideration of the number of its voters and workload.

18.2.1. 5 or 7 in case the unit has up to 2,000 voters;

18.2.2. 7 or 9 in case the unit has 2,000-2,500 voters; or

18.2.3. 9 or 11 in case the unit has more than 2,500 voters.

18.3. A unit committee shall exercise the following powers.

18.3.1. To notify voters of the unit committee's address and schedule and polling day and timing;

18.3.2. To notify a corresponding state registration office of transfer of a voter and registration of a voter transferred to it;

18.3.3. To notify a corresponding state registration office provided that a citizen whose legal incapability is proven by a court decision or who is serving imprisonment registers with the electoral roll;

18.3.4. To notify a corresponding state registration office to ensure that it resolves the violation in the event of a difference between the voter's data specified in Article 20.2 hereof and that of his/her citizen identification card;

18.3.5. To prepare polling stations, mobile ballot boxes, and polling equipment, and other items required for polling and organize voter polling;

18.3.6. To sum up and deliver election outcomes to its sub-district committee and deliver them to a district committee immediately if such a sub-district committee is non-existent;

18.3.7. To sort out election documents as per procedures approved by the General Election Commission and submit them to its sub-district committee and refer them to its district committee if such a sub-district committee is non-existent;

18.3.8. To resolve a petition or complaint about election organization, polling, and vote counting within the bounds of its powers or submit it to a competent authority;

18.3.9. To perform tasks assigned by superior election committees as provided in laws in relation to election organization; and

18.3.10. Other powers provided in laws.

Article 19. Schedule of election committee

19.1. A district, sub-district, or unit committee shall discuss an issue that falls under its powers in its meeting and it shall be decided by majority vote of the members present and resolution – issued.

19.2. In the event at least two third of members are present in the meeting set forth in Article 19.1 hereof, the meeting of the election committee shall have a quorum.

19.3. A chairman, secretary, or member of an election committee is forbidden to leave the meeting set forth in Article 19.1 hereof without making an excuse.

19.4. In the event the chairman, secretary, or member of the election committee leaves the meeting without making an excuse he/she shall be deemed present and vote against the issue under discussion in the meeting.

19.5. The resolution set forth in Article 19.1 hereof shall be signed by the chairman and secretary of the election committee.

19.6. The chairman and secretary of the election committee shall have no right to decline to sign a resolution issued in a meeting in which at least two third of the members of the election committee are present pursuant to Article 19.2 hereof.

19.7. An election committee shall issue and approve rules of procedure in its meeting and they shall include transparency and openness of its activities, and terms of reference, operating principles, and procedures of its members.

19.8. A decision made in an election committee's meeting shall be made public and transparent.

19.9. Minutes of an election committee's meeting shall be taken as per procedures approved by the General Election Commission and one member of the election committee shall be assigned to be responsible for minutes.

19.10. Election documents shall be recorded and documents to be recorded and record-keeping procedures shall be set by the General Election Commission.

19.11. A chairman of a district or sub-district committee shall issue a decree on issues in relation to in-house business.

19.12. A chairman, secretary, or member of an election committee shall be discharged from his/her principal job on a temporary basis in consideration of business needs and hired for the committee and his/her principal employer shall pay his/her salaries in this period.

19.13. Unless otherwise provided in laws a complaint about a decision made by an inferior election committee may be lodged with a superior election committee and the latter shall review and resolve the complaint and respond to the complainant in writing within three working days after it receives it.

19.14. An election committee is entitled to put forward a legal demand to an authority, organization, or official that has obligations to organize an election and review and resolve violations of laws as per election legislation and authority, organization, or official that has received such a demand shall address and respond to it in writing within two working days after it receives it.

19.15. The General Election Commission or district committee shall enter into a procurement agreement with an individual or legal entity in relation to election organization within the bounds of the public funds allocated without bid selection and regulation of the State and Local Procurement Law⁷ shall be inapplicable to this process.

19.16. All authorities, organizations, officials, and citizens that have obligations as per election legislation in territories are obligated to enforce decisions made by election committees within the bounds of their powers.

19.17. A chairman of an election committee who has violated Article 19.9 hereof shall be subject to a fine in togrogs equal to two-three-fold increase in the monthly minimum wage, member – that equal to one-two-fold increase in the monthly minimum wage, chairman, secretary, or member of an election committee who has failed to respond within the time frame set forth in Article 19.13 hereof – that equal to two-three-fold increase in the monthly minimum wage, official who has failed to respond within the time frame set forth in Article 19.14 hereof – that equal to two-three-fold increase in the monthly minimum wage, citizen who has violated Article 19.16 hereof – that equal to one-two-fold increase in the monthly minimum wage, official – that equal to two-three-fold increase in the monthly minimum wage, and legal entity– that equal to three-seven-fold increase in the monthly minimum wage respectively.

19.18. A chairman or secretary of an election committee who has violated Article 19.6 hereof shall be removed from the composition of the election committee and the violation shall justify dismissing the public servant giving him/her no right to return to the public service for a one-year period.

CHAPTER FOUR ELECTORAL ROLL

Article 20. Preparation and exposure of electoral roll

⁷ State and Local Procurement Law published in issue 48, “State Information” bulletin 2005

20.1. An electoral roll shall be prepared based on the civil registration and national database and the state administrative authority in charge of state registration shall provide collective coordination and management for electoral roll review and removal of duplicates and registration of eligible voting citizens who haven't registered with electoral rolls and the like nationwide.

20.2. The last name (father or mother's), first name, age, gender, citizen identification card number, personal number, and place of residence address of a voter registered with the address register in the unit's territory shall be recorded in the electoral roll and voters' names shall be arranged in order of place of residence addresses for this purpose.

20.3. A state registration branch or unit based in an aimag or capital city shall review an electoral roll prepared by a unit and staff in charge of state registration from a soum, district, or khoroo (sub-district) as per forms approved by the General Election Commission based on the address register of the bag (smallest local administrative unit) or khoroo population in the territory, and deliver it to the state administrative authority in charge of state registration.

20.4. The state administrative authority in charge of state registration shall compile and prepare data on registration of last names (father or mother's), first names, ages, gender, citizen identification card numbers, personal numbers, and place of residence addresses of eligible voting citizens on the electoral roll set forth in Article 20.3 hereof by each aimag, capital city, soum, district, bag, and khoroo and by each unit created pursuant to Article 13.1 hereof and post the electoral roll on its website before March 15 of the election year and keep it thereon until the end of the election.

20.5. The state administrative authority in charge of state registration shall ensure that an eligible voting citizen is exposed to data concerning him/her only set out in the electoral roll posted on the website pursuant to Article 20.4 hereof.

20.6. The Supreme Court shall prepare data on citizens of voting age whose legal capability is proven by a court decision and the central court decision enforcement authority – data on citizens of voting age serving imprisonment and deliver them to the state administrative authority in charge of state registration before April 10 of the election year.

20.7. The state administrative authority in charge of state registration shall make the following changes to the electoral roll posted on the website pursuant to Article 20.4 hereof and prepare and deliver hard copy and soft copy of the revised electoral roll to the General Election Commission within at least 55 days before the polling day.

20.7.1. Changes made in response to complaints about absence of registration or incorrect registration of voters with the electoral roll set forth in Article 20.4 hereof;

20.7.2. Changes associated with civil registration such as those made to a voter's last name (father or mother's), first name, age, gender, citizen identification card number, personal number, and place of residence address;

20.7.3. Changes associated with registration of dead citizens; and

20.7.4. Changes associated with the data on citizens set forth in Article 20.6 hereof.

20.8. The General Election Commission shall classify electoral rolls delivered pursuant to Article 20.7 hereof by each district and prepare and deliver hard copy and soft copy of electoral rolls for each district to corresponding district committees within at least 50 days before the polling day.

20.9. A district committee shall create an electronic database that classifies electoral rolls by each unit of the district based on the electoral rolls set forth in Article 20.8 hereof and deliver hard copy and soft copy of electoral rolls of units to unit committees within at least 40 days before the polling day.

20.10. A commander of a regiment or unit based in the unit's territory shall prepare data on citizens of voting age serving in the regiment or unit and chairman of police or court decision enforcement authority – date on citizens of voting age apprehended, detained, convicted, or imprisoned due to administrative offence, legal procedure, and coercive action as per forms approved by the General Election Commission respectively and deliver them to corresponding unit committees within at least 30 days before the polling day.

20.11. A unit committee shall check the electoral roll set forth in Article 20.9 hereof against the data on citizens of voting age provided in Article 20.10 hereof and checked electoral roll shall be signed by the chairman and secretary of the unit committee and displayed in its facility within at least 20 days before the polling day to allow voters' exposure to it freely.

20.12. Procedures for reviewing and changing electoral rolls shall be approved jointly by the state administrative authority in charge of state registration and General Election Commission.

20.13. A voter should check whether he/she registered with the electoral roll set forth in Articles 20.4 and 20.11 hereof within at least ten days before the polling day.

20.14. A unit committee shall deliver the number of voters registered with the electoral roll set forth in Article 20.11 hereof to its district committee and district committee shall compile and deliver the number of voters delivered by unit committees to the General Election Commission.

20.15. An electoral roll shall consist of those for polling through principal and mobile sealed ballot boxes.

20.16. A voter shall be registered with one electoral roll one electoral unit only.

20.17. Reproduction and distribution of an electoral roll is prohibited in circumstances other than those in which it is used for unit committee business or requested by a party or coalition that is participating in an election, or independent.

20.18. A party or coalition or independent that has made a request pursuant to Article 20.17 hereof shall bear expenses for preparation of hard copy and soft copy of an electoral roll and amount of the expenses shall be set by the General Election Commission.

20.19. An official who has violated Articles 20.3-20.7, 20.10, and 20.16 hereof shall be subject to a fine in togrogs equal to two-three-fold increase in the monthly minimum wage, chairman, secretary, or member of an election committee that has violated Articles 20.8, 20.9, 20.11, and 20.14 hereof –

that equal to two-three-fold increase in the monthly minimum wage, and person or entity that has violated Article 20.17 hereof – that equal to two-three-fold increase in the monthly minimum wage respectively.

20.20. In the event the violation set forth in Article 20.19 hereof is serious, it shall justify dismissing the official giving him/her no right to return to the public service for a one-year period.

Article 21. Procedures for resolving complaint about voter registration

21.1. Unless the name of a voter or his/her family member is registered or registered with the electoral roll incorrectly, the voter shall lodge a complaint about it by himself/herself or on his/her family member's behalf with a corresponding state registration office within at least ten days before the polling day.

21.2. Provided that a corresponding state registration office receives a complaint pursuant to Article 21.1 hereof, it shall search and find data on the citizen, who has lodged the complaint, on the civil registration and national database and issue reference, and authorized staff of the civil registration office as part of the unit committee shall make a change to the voter's data on the electoral roll based on the reference within three days.

21.3. Making a change to an electoral roll on grounds other than those laid down in Article 21.2 hereof is prohibited.

21.4. Taking the action referred to in Articles 21.1 and 21.2 hereof on the polling day is prohibited.

21.5. An official who has violated Articles 21.2-21.4 hereof shall be subject to a fine in togrogs equal to three-five-fold increase in the monthly minimum wage.

Article 22. Transfer of voter

22.1. A voter shall vote in a unit whose part is his/her permanent place of residence.

22.2. Transfer of voters shall be discontinued within 30 days before the polling day and unit committee is forbidden to register a voter's transfer within 30 days before the polling day.

22.3. Provided that a voter transfers within 30 days before the polling day, he/she shall make a request based on business condition, state of health, and the like, to the unit committee whose part is his/her permanent place of residence and the unit committee shall notify a corresponding state registration office thereof.

22.4. A voter who has transferred pursuant to Article 22.3 hereof shall notify the unit committee of the place he/she transferred to of his/her transfer and the unit committee shall notify a corresponding state registration office thereof.

22.5. The state registration office shall remove the voter transferred from the unit from its electoral roll or register the voter transferred to the unit with its electoral roll in response to the notification of the unit committee set forth in Articles 22.3 and 22.4 hereof.

22.6. Transfer/migration of citizens from one administrative unit to another shall be suspended from the date the election date is set and announced until the end of the polling nationwide.

22.7. A chairman or secretary of an election committee who has violated Articles 22.2-22.4 hereof shall be subject to a fine in togrogs equal to three-five-fold increase in the monthly minimum wage, member – that equal to two-four-fold increase in the monthly minimum wage, and official who has violated Articles 22.5 and 22.6 hereof – that equal to three-five-fold increase in the monthly minimum wage respectively.

CHAPTER FIVE PARTY OR COALITION PARTICIPATING IN ELECTION

Article 23. Expression of party or coalition engagement in election

23.1. A party registered with the Supreme Court before the date the election data is set and announced is entitled to participate in the election.

23.2. Two or more parties may participate in an election as a coalition in which case Article 23.1 hereof shall be applicable to each party forming the coalition.

23.3. A party or coalition shall express its desire to abide by the Constitution of Mongolia, Parliament (State Great Hural) of Mongolia Election Law, Law on Central Electoral Body,⁸ Administrative Liability Law,⁹ Criminal Law,¹⁰ and other legislation and participate in an election in writing to the General Election Commission within at least 50 days before the polling day.

23.4. A party or coalition shall deliver its desire to participate in an election along with the following documents in attachment to the General Election Commission.

23.4.1. Decision made in a party congress or central party representative body elected and formed in a party congress in case the party participates in the election by itself, and decision made by the coalition representative body set forth in Article 24.6 hereof in case it creates a coalition and participates in the election;

23.4.2. Notarized copy of the charter registered with the Supreme Court in the event of the party or parties joined the coalition in terms of the coalition;

23.4.3. Approved party or coalition platform;

23.4.4. Opinion of the state audit office set forth Article 34.5 hereof;

⁸ Law on Central Electoral Body published in issue 5, “State Information” bulletin 2006

⁹ Administrative Liability Law published in issues 4-5, “State Information” bulletin 1992

¹⁰ Criminal Law published in issue 5, “State Information” bulletin 2002

23.4.5. Statement (s) on donations made by citizens and legal entities to the party or parties joined the coalition over the past year audited and certified by an audit office; and

23.4.6. Information containing the title of the party or coalition's central electoral body, its composition, address, and phone number, and the like.

23.5. A coalition representative body shall deliver the following documents other than those set out in Article 23.4 hereof to the General Election Commission.

23.5.1. Notarized copy of the coalition certificate; and

23.5.2. Decision and minutes of a meeting of the top management body of each party joined the coalition as forth in Article 24.1 hereof.

Article 24. Formation of coalition by parties and coalition agreement

24.1. In the event the parties registered with the Supreme Court pursuant to Article 23.1 hereof form a coalition and participate in a regular election of the Parliament (State Great Hural) each party committed to joining the coalition shall hold its congress or meeting of its representative body and resolve the following issues.

24.1.1. To discuss and approve the title and platform of the coalition;

24.1.2. To set the number of candidates for each party joining the coalition;

24.1.3. To discuss and resolve nomination of candidates within the quota allocated for each party;

24.1.4. To appoint authorized representatives (hereinafter referred to as "party representative body") who be entitled to make decisions on election-related issues on the party's behalf at the coalition in the future; and

24.1.5. To discuss a coalition agreement.

24.2. The body stipulated in Article 24.1 hereof shall revolve the issue set forth in Article 24.1.3 hereof by secret ballot.

24.3. In the event each party that wishes to join the coalition resolves and reaches agreement on each issue set forth in Article 24.1 hereof the coalition shall be deemed officially formed and chairmen of the parties joined the coalition shall sign and stamp the coalition agreement to certify it.

24.4. A coalition shall have its official title and symbol and is forbidden to adopt the name of an individual, country, nation, or tribe or the title used by other parties in the previous election and change a already announced coalition title during the election and term of office of a newly elected Parliament (State Great Hural).

24.5. Any party or coalition is forbidden to join the coalition already formed pursuant to Articles 24.1 and 24.3 hereof and join a coalition during the election after it registers to participate in the election pursuant to Article 25.5 hereof.

24.6. A coalition representative body shall consist of representatives appointed by each party joined the coalition pursuant to Article 24.1.4 hereof and have no right to change the number of seats allocated for the parties pursuant to Article 24.1.2 hereof though it shall exercise the powers to make decisions on election- and coalition-related issues such as amendment of the coalition platform and agreement, setting of the order of candidates based on the coalition slate, nomination for political positions such as Chairman of the Parliament (State Great Hural) and Prime Minister and nomination for by-election, and termination of the coalition agreement.

24.7. A coalition agreement shall include general and mutual rights and obligations of the parties to the coalition agreement, coalition title, and coalition representative body and last name (father or mother's name), first name, and position of a citizen who is part of its management, and coalition's electoral body and last name (father or mother's name) and first name of an official who represents it, and other agreed issues.

24.8. A coalition agreement shall be effective during the term of office of the Parliament (State Great Hural) formed as a result of the election and its outcomes.

24.9. Parties already joined a coalition shall participate in a regular election or by-election of the Parliament (State Great Hural) and newly elected Parliament (State Great Hural) of Mongolia as one entity and any of the parties of the coalition by itself (outside the coalition) is forbidden to propose a candidate, open an election expenses account, join other parties' coalition, and participate in the election on an individual basis or forming another coalition, and in the event any of the parties make such a decision, the coalition shall be deemed dissolved.

24.10. A party joined a coalition is entitled to drop out of the coalition any time and as soon as its body set forth in Article 24.1 hereof officially notifies the representative body stipulated in Article 24.6 hereof thereof the party shall be deemed to drop out of the coalition in which case the coalition shall be deemed dissolved.

24.11. The party representative body set forth in Article 24.1.4 hereof shall terminate the coalition agreement any time.

24.12. In the event a coalition already dissolves pursuant to Articles 24.9-24.11 hereof, the parties that are part of the coalition during this Parliament (State Great Hural) election or in the Parliament (State Great Hural) of Mongolia formed as a result of it is forbidden to unite and form a coalition again or to be organized in the Parliament (State Great Hural) of Mongolia as one group.

24.13. Parties that didn't join the coalition from the outset are forbidden to unite and form a coalition again or be organized as one group during this Parliament (State Great Hural) election in the event of dissolution of the coalition set forth in Articles 24.9-24.11 hereof or in the Parliament (State Great Hural) of Mongolia formed as a result of it in circumstances other than those in which a coalition Government is formed and this provision shall be inapplicable in case a party dropped out of the coalition and that holds more than eight seats forms a group by itself.

Article 25. Registration of party or coalition to participate in election

25.1. The General Election Commission shall check whether documents submitted by a party or coalition express its desire to participate in the election pursuant to Article 23 hereof are accurate and complete to register it.

25.2. The General Election Commission shall decide whether to register a party or coalition that wishes to participate in the election based on the documents set forth in Articles 23.4 and 23.5 hereof within five days after it receives them.

25.3. Registration of a party or coalition shall be declined in the following cases.

25.3.1. In case the party or any of the parties joined a coalition fails to meet the requirement laid down in Article 23.1 hereof;

25.3.2. In case the documents set forth in Articles 23.4 and 23.5 hereof are incomplete or false;

25.3.3. In case it delivers the documents set forth in Article 23.4 and 23.5 hereof after the time frame set in Article 23.3 hereof expires;

25.3.4. In case it fails to bring its platform that has violated Articles 34.3 and 34.4 hereof in compliance with legal requirements and deliver it within the time frame set forth in Article 25.4 hereof;

25.3.5. In case it violates the procedures and requirements laid down in Articles 24.1-24.4 hereof in making a decision on formation of a coalition; or

25.3.6. In case any of the parties joined the coalition expresses its desire to drop out of the coalition before a decision on registration is made pursuant to this Law.

25.4. The General Election Commission shall return a platform that has failed to meet the requirements set forth in Articles 34.3 and 34.4 hereof based on a opinion of the state audit office to the party or coalition, and the party or coalition shall bring its platform in compliance with the requirements set forth in Articles 34.3 and 34.4 hereof and deliver it to the General Election Commission within three days.

25.5. In the event the General Election Commission decides to register the party or coalition, it shall issue a certificate of confirmation.

CHAPTER SIX CANDIDATE NOMINATION FOR MEMBER OF PARLIAMENT (STATE GREAT HURAL) AND REGISTRATION OF CANDIDATE

Article 26. Uniform procedures for candidate nomination

26.1. A party or coalition to participate in an election shall start proposing a candidate for a Member of Parliament (State Great Hural) 20 days later than the date the election date is set and announced and complete it for a one-week period.

26.2. Electoral nomination of an independent shall start 15 days later than the date the election date is set and announced and end in 12 days." in the text.

26.3. A citizen whose candidacy is registered for Member of Parliament (State Great Hural) pursuant to Article 29 hereof and who has obtained a candidate identification card for a Member of Parliament (State Great Hural) shall be deemed to be a candidate for a Member of Parliament (State Great Hural).

26.4. A candidate shall meet the following requirements except those set forth in Article 6.2 hereof.

26.4.1. To have no loan, collateral, or guarantee debts due to a bank or other legal entities or citizens as determined by a court decision or overdue taxes;

26.4.2. To have a clean criminal record or be allowed or deemed to have a clean criminal record pursuant to Articles 78.2 and 78.3 of the Criminal Law though he/she has been convicted; and

26.4.3. To have done his/her principal military service under the Law on Citizen of Mongolia Military Service and Legal Status of Serviceman¹¹ in terms of a citizen of military service age.

26.5. Article 26.4.3 hereof shall be inapplicable to a citizen who has attained the age of 27 before this Law enters into force.

26.6. Provided that a public servant or senior official of a state- or local government-owned or partially state- or local government-owned legal entity other than a political servant is proposed for Member of Parliament (State Great Hural), he/she shall be discharged from the public service or his/her job or position before January 1 of the election year.

26.7. A member of one party is forbidden to be proposed by another party and member of parties other than that joined the coalition – proposed in terms of coalition respectively.

26.8. Nomination of a candidate in more than one district is prohibited.

26.9. A party or coalition may propose a non-partisan citizen with his/her consent in writing.

26.10. A candidate shall choose and agree to be proposed for a district or from the slate and in the event a competent body already makes a decision on this issue, modification thereof is prohibited until the end of the polling.

¹¹ Law on Citizen of Mongolia Military Service and Legal Status of Serviceman published in issue 3, "State Information" bulletin 1992

26.11. Provided that a public servant discharged from the public service pursuant to Article 26.6 hereof returns to the public service, the procedures set forth in Article 17 of the Public service Law¹² shall be adhered to.

Article 27. Candidate nomination by party or coalition

27.1. A party or coalition shall propose no more than 76 candidates for a Parliament (State Great Hural) election from one slate in the order set by the party or coalition.

27.2. At least 20 percent of candidates proposed by a party or coalition pursuant to Article 27.1 hereof shall be represented by women.

27.3. A party or coalition shall propose no more candidates than the number of mandates allocated for the district to propose candidates for the district.

27.4. Candidate nomination by a party shall be discussed and resolved by secret ballot and majority vote based on democratic principles in a party congress or meeting of the central representative body pursuant to Article 13.7 of the Political Party Law.¹³

27.5. A party shall abide by the following procedures except the general ones set forth in Article 26 hereof to propose candidates.

27.5.1. To ensure that members of the party who meets the requirements set forth in this Law has equal opportunity to be proposed and elected starting from primary party bodies as per its charter, and select candidates; and

27.5.2. To consider the individual's qualification, education, experience, and ability, adequate enough to be a Member of Parliament (State Great Hural), aspiration for dedicating his/her intelligence, energy, and labor for the country and people's sake and securing and consolidating Mongolia's independence and sovereignty, and capacity to abide by integrity, rule of law, and ethical standards of Member of Parliament (State Great Hural) to propose his/her candidacy;

27.5.3. To prohibit action to entice with cash or goods, intimidate, or deceive to propose candidates pursuant to Article 27.5.1 hereof;

27.5.4. To arrange no more than first 48 candidates in order of districts and no more than 28 candidates in order of the number and percentage of votes obtained by each candidate in the meeting set forth in Articles 24.1 and 27.4 hereof to prepare the slate set forth in Article 27.1 hereof; and

27.5.5. To set forth a party congress or central representative body or coalition representative body, number of its members, meeting attendance of members, number and percentage of votes obtained by each candidate the party or coalition proposes, and candidate's meeting the

¹² Public Service Law published in issue 28, "State Information" bulletin 2002

¹³ Political Party Law published in issue 7, "State Information" bulletin 2005

terms and requirements set forth in this Law in a decision made in the meeting that resolved nomination of candidates.

27.6. A coalition shall abide by the procedures set forth in Articles 24.1.2, 24.1.3, 24.2, 24.6, and 27.5 hereof to propose candidates.

27.7. A party or coalition shall issue and enforce its internal procedures for candidate nomination in compliance with this Law.

Article 28. Nomination of independent

28.1. The independent stipulated in Article 7.2 hereof shall propose his/her candidacy in the district set forth in Article 11.2 hereof.

28.2. An independent shall have signatures of supporters-voters whose number is set forth in Article 7.2 hereof as per forms approved by the General Election Commission.

28.3. A district committee shall affix a seal to and issue the form set forth in Article 28.2 hereof to an independent.

28.4. An independent shall allow representatives of each aimag or city district in the district to be present when obtaining signatures of supporters-voters pursuant to Article 28.2 hereof.

28.5. The last name (father or mother's), first name, citizen identification card number, personal number, and place of residence address of a supporters-voter shall be written neatly and clearly in the form set forth in Article 28.2 hereof.

Article 29. Registration of candidate

29.1. District committees shall register candidates proposed in districts and the General Election Commission – candidates proposed by parties and coalitions other than those proposed in districts respectively.

29.2. A party or coalition proposed candidates shall deliver the following documents on its candidates proposed in districts to district committees within five days after the end of the nomination process set forth in Article 26.1 hereof.

29.2.1. Decision and report on its candidates' nomination;

29.2.2. Slate of all its candidates and each candidate's consent in writing;

29.2.3. Candidates' asset and income declarations;

29.2.4. Candidate's declaration and note from a competent authority or organization that certifies that he/she has no debts and dues set forth in Article 26.4.1 hereof candidate;

29.2.5. Note from police that certifies the status set out Article 26.4.2 hereof;

29.2.6. Competent authority or organization's decision on his/her discharge from the public service or his/her job or position in terms of the entity set forth in Article 26.6 hereof; and

29.2.7. Resumes of its candidates.

29.3. A party or coalition proposed candidates shall deliver the documents set forth in Articles 29.2.1-29.2.7 hereof on candidates proposed by the party or coalition other those proposed in districts within the time frame set forth in Article 29.2 hereof to the General Election Commission.

29.4. A party or coalition shall deliver a decision on candidate nomination for Member of Parliament (State Great Hural), slate of all candidates, and minutes of a meeting in which candidates are proposed to the General Election Commission before it delivers the documents set out Article 29.2 hereof on its candidates proposed in districts to district committees.

29.5. An independent shall deliver the documents set forth in Articles 29.2.3-29.2.7 hereof and filled-in supporter-voter signature collection form along with declaration of expression of nomination of his/her candidacy to the district committee within the time frame set forth in Article 26.2 hereof.

29.6. The declaration and note set out Article 29.2.4 hereof shall be prepared for each candidate and delivered to the Supreme Court and note set forth in Article 29.2.5 hereof – prepared for each candidate and delivered to the central police and delivered to the General Election Commission and district committees in official letter within 35 days after the date the election date is set and announced.

29.7. Samples of the documents set forth in Articles 29.2.4 and 29.2.7 hereof shall be approved by the General Election Commission.

29.8. The General Election Commission or district committee shall check whether documents delivered by a party, coalition, or candidate are accurate and complete and whether candidate nomination was held legally to register candidates.

29.9. A district committee shall compile data on supporters-voters of independents and check whether they are accurate selecting and checking them from and against electoral rolls and place of residence register issued by the state administrative authority in charge of state registration or meeting the citizens if need be and it may ensure that a sub-district committee performs this task or unit committee does the same in case a sub-district is non-existent.

29.10. The General Election Commission or district committee shall decide whether to register candidates within a week after it receives the documents set forth in Articles 29.2-29.4 hereof.

29.11. The General Election Commission or district committee shall decline to register candidates in the following cases.

29.11.1. In case a candidate isn't proposed within the time frame set forth in Articles 26.1 and 26.2 hereof;

- 29.11.2. In case the requirements for candidates set out Articles 26.4 and 26.6 hereof aren't met;
- 29.11.3. In case a member of another party is proposed in breach of Article 26.7 hereof;
- 29.11.4. All candidates in case candidate nomination violates Article 27 hereof;
- 29.11.5. In case the documents set forth in Articles 29.2, 29.3, and 29.5 hereof are incomplete or false;
- 29.11.6. In case an independent violates the procedures set forth in Article 28 hereof or applies illegal means such as misrepresentation, use of force, deceit, threat, enticement with cash or goods, signature by an illegible person/entity, and signature forgery, to collect supporter-voter signatures, or collects signatures with a form other than that approved by the General Election Commission;
- 29.11.7. In case candidate nomination breaches Article 26.8 hereof;
- 29.11.8. In case action is arranged to entice voters in violation of Article 35.15 hereof; or
- 29.11.9. In case an independent's platform doesn't meet the requirements set forth in Article 34.3 hereof.
- 29.12. In the absence of the grounds set forth in Article 29.11 hereof the General Election Commission or district committee shall make a decision on registration of candidates.
- 29.13. The General Election Commission or district committee shall issue an identification card for a candidate for a Member of Parliament (State Great Hural) the former has registered.
- 29.14. A candidate is forbidden to decline his/her candidacy by himself/herself after he/she registers with the General Election Commission or district committee and receives a candidate identification card for Member of Parliament (State Great Hural).
- 29.15. A district committee shall deliver its decision on registration of candidates to the General Election Commission within three working days after the time frame for candidate registration expires.
- 29.16. Provided that the General Election Commission or district committee declines to register a candidate, the party or coalition shall make a request for re-registration of his/her candidacy after it resolves the violation or may propose another candidate as per the procedures set forth in this Law 20 days before the polling day.
- 29.17. The General Election Commission shall compile slates of all candidates on district and national levels and make them public within six working days after the decision set forth in Article 29.12 hereof is made.

29.18. In the event forgery of the documents set forth in Articles 29.2, 29.3, and 29.5 hereof isn't serious enough to bring a criminal charge or the grounds set forth in Article 29.11 hereof are found existent after a candidate is registered, the candidate and staff from a party or coalition's electoral body shall be subject to a fine in togrogs equal to three-five-fold increase in the monthly minimum wage, official – that equal to five-seven-fold increase in the monthly minimum wage, and party or coalition – that equal to five-seven-fold increase in the monthly minimum wage respectively.

29.19. Registration of a candidate in violation of Article 29.11 hereof shall justify removing him/her from the slate.

29.20. In the event a candidate is registered due to concealment of a violation of Article 29.11 hereof, the culpable chairman, secretary, or members of an election committee shall be subject to a fine in togrogs equal to three-five-fold increase in the monthly minimum wage respectively.

29.21. A culpable person/entity subject to an administrative sanction pursuant to Article 29.20 hereof shall be removed from the composition of the election committee and provided that the violation is serious, a corresponding election committee shall transfer him/her to a competent authority for legal liability.

Article 30. Nomination of replacement

30.1. In the a candidate proposed by a party or coalition dies or is convicted by a court of law, the party or coalition may deliver its decision on nomination of his/her replacement to and register him/her with an appropriate election committee as per the procedures set forth in Article 29 hereof 20 days before the polling day.

30.2. A party or coalition is forbidden to propose replacement in circumstances other than those set forth in Article 30.1 hereof.

Article 31. Removal of candidate from slate

31.1. In the event a candidate's removal from the list of candidates is justifiable under this Law after he/she registers pursuant to Articles 29.12 and 29.13 hereof and is announced to the public pursuant to Article 29.17, the General Election Commission or district committee shall make a decision and make it public.

31.2. In the event of a dispute arising from a decision made by the General Election Commission or district committee pursuant to Article 31.1 hereof, it shall be resolved as per the jurisdiction and procedures Article 11 hereof.

Article 32. Assistant to candidate

32.1. A party or coalition's electoral body, its staff, aide to candidate, or electioneer shall assist the party, coalition, or candidate in running an electoral campaign or other business such as meeting with its or his/her voters and publicity and promotion of its or his/her platform.

32.2. A party or coalition shall run all electoral campaigns for candidates proposed by the party or coalition other than those proposed for districts on all candidates' behalf.

32.3. There shall be no more than one aide to candidate for every 500 voters and no more than one electioneer for every 200 voters.

32.4. The General Election Commission shall register and issue identification cards for staff from a party or coalition's electoral bodies, and aides to and electioneers for candidates proposed by the party or coalition other those proposed for districts and district committees – for aides to and electioneers for candidates proposed for districts.

32.5. The electioneer set forth in Article 32.1 hereof shall act on a voluntary basis.

32.6. Staff from a party or coalition's electoral body, aide to candidate, or electioneer is forbidden to be a member of an election committee.

32.7. A chairman or secretary of an election committee who has registered or issued an identification card for an aide to candidate or electioneer in violation of Article 32.3 hereof shall be subject to a fine in togrogs equal to three-five-fold increase in the monthly minimum wage and person/entity that has violated Article 32.6 hereof – that equal to two-four-fold increase in the monthly minimum wage respectively.

32.8. A culpable entity subject to an administrative sanction pursuant to Article 32.7 hereof shall be removed from the composition of the election committee and his/her identification card issued in violation of Article 32.3 hereof shall be cancelled.

Article 33. Guarantee for candidate's activities

33.1. A party, coalition, or candidate shall exercise the right to publicize and promote its or his/her platform through the media, express its or his/her view freely, run an electoral campaign, and obtain information or note from a corresponding authority or organization as per appropriate procedures.

33.2. In circumstances other than those in which a candidate is apprehended when he/she is committing an offense or with evidence for alleged offense on the scene, it is prohibited to bring a criminal charge against, apprehend, or detain him/her without the General Election Commission's consent, impose an administrative sanction judicially, physical check or search in his/her dwelling, office, or vehicle, or dismiss him/her from his/her job at the administration's discretion.

33.3. It is prohibited to a insult, or damade candidate's reputation, and disclose his/her personal and correspondence secret.

33.4. A citizen who has intentionally inhibited one from exercising his/her right set forth in Article 33.1 hereof shall be subject to a fine in togrogs equal to two-four-fold increase in the monthly minimum wage, official – that equal to three-five-fold increase in the monthly minimum wage, legal entity – that equal to five-seven-fold increase in the monthly minimum wage, officials other than public servants who have violated Article 33.2 hereof – that equal to three-five-fold increase in the monthly minimum wage, citizen who has violated Article 33.3 hereof – that equal to two-four-fold

increase in the monthly minimum wage if this violation isn't serious enough to bring a criminal charge, official – that equal to three-five-fold increase in the monthly minimum wage, and party, coalition, media outlet, or other legal entities – that equal to fifteen-twenty-fold increase in the monthly minimum wage respectively.

33.5. A public servant who has violated Article 33.2 hereof shall be subject to a disciplinary saction provided in corresponding laws.

CHAPTER SEVEN PLATFORM AND PUBLICITY AND PROMOTION

Article 34. Platform and publicity and promotion

34.1. A party, coalition, or independent shall have a platform.

34.2. A candidate proposed by a party or coalition is forbidden to have his/her own platform other than that of the party or coalition.

34.3. It is prohibited to include promises to give cash, goods, right in relation to cash or goods, or largess or shares from revenues from mining, oil, minerals, or other industries or other equivalents for citizens, or cancel or convert loan and other debts, or provide services free of charge or at lower rates, or intermediate for a job or get one to find a job and the like in the platform set forth in Article 34.1 hereof.

34.4. If action that requires specific financial sources is specified in a party or coalition's platform, total expenses needed to conduct it shall meet the special budget requirements set forth in the Budget Stability Law.¹⁴

34.5. A party or coalition shall ensure that the state audit office gives an opinion on whether its platform meets the special budget requirements set forth in the Budget Stability Law.

34.6. A platform of a party or coalition that has obtained the majority of seats in the election shall provide a basis for an action program of a Government to be constituted by the Parliament (State Great Hural) formed as a result of the election.

34.7. A party, coalition, or independent shall get an independent audit organization to audit calculation and analysis of financial sources for its or his/her platform.

34.8. A violation of Articles 34.2 and 34.3 hereof committed by a candidate shall justify removing him/her from the slate and repealing the decision made to register the party or coalition to allow it to participate in the election and the General Election Commission shall make this decision public.

Article 35. Electoral campaign

35.1. A party, coal, or candidate shall launch its or his/her electoral campaign on the date a candidate (s) registers and obtains an identification card pursuant to Articles 29.12 and 29.13 hereof.

¹⁴ Budget Stability Law published in issue 30, "State Information" bulletin 2010

35.2. A party, coalition, or independent is entitled to publicize and promote its or his/her platform and concepts and run an electoral campaign in support of a candidate by means not prohibited by law such as a meeting, forum, or gathering, operation of a campaign facility, and placement of an electoral campaign board.

35.3. An electoral campaign shall be terminated 24 hours before the polling day or before 00.00 (midnight) on the day before the polling day.

35.4. A party or coalition participating in an election shall keep a newspaper or publication that exposes its platform within twenty printer's sheets, one leaflet, poster, and candidate's resume within ten printer's sheets, and other campaign materials within ten printer's sheets respectively.

35.5. An independent shall keep two newspapers or publications that expose his/her platform within two printer's sheets each, one leaflet, poster, and candidate resume within one printer's sheet, and other campaign materials within one printer's sheet respectively.

35.6. The total amount of the limits set forth in Articles 35.4 and 35.5 hereof shall be calculated based on the total number of those publications to be distributed for voters in a printed form.

35.7. Locations of streets, squares, and public places in which an electoral campaign invitation, leaflets, posters, announcements, and boards shall be placed in conformity with the number and limits set by the General Election Commission shall be set by leaders of a civil representative assembly (hural) of a soum or district by April 1 of the election year thus, ensuring equality of parties, coalitions, and candidates.

35.8. The public radio and television shall broadcast an electoral campaign-related program (hereinafter referred to as "campaign program") on the schedule and timing set by the General Election Commission free of charge only and it is forbidden to broadcast it on a chargeable basis.

35.9. The General Election Commission shall ensure that equal timing is allocated for each party or coalition or each independent participating in one single district to approve a schedule and timing for free campaign programs to be broadcast over the public radio and television, and make and enforce a decision accordingly.

35.10. Transfer the schedule and timing set forth in Article 35.9 hereof to other parties, coalitions, or candidates is prohibited.

35.11. Radios and televisions other than the public ones may broadcast a commercial campaign program but total timing of such a program shall not be in excess of two hours per day.

35.12. In the event radios and televisions other than public ones have more than one channel they shall broadcast a campaign program on their primary airwave channel only.

35.13. Both the General Election Commission and Communications Regulatory Commission shall approve procedures for broadcasting the electoral campaign set forth in Article 35.11 hereof and monitor enforcement thereof.

35.14. The radios and televisions set forth in Article 35.11 hereof shall abide by the principles set forth in Articles 35.9 and 35.10 hereof in broadcasting electoral campaigns.

35.15. Any entity is forbidden to take or conduct the following action or activities to entice voters from the start of the election year to the end of the polling.

35.15.1. To distribute cash or free goods for voters, sell them at lower rates, provide services free of charge or at lower rates, and organize a chargeable puzzle, betting, or gambling;

35.15.2. To hold electoral campaign-related public events such as a sports tournament or competition, festival, or performance or sponsorship thereof, or reception, party, or banquet;

35.15.3. To arrange and allow voters to take tours inside or outside the country or allow them to take a vacation in a resort or health resort;

35.15.4. To organize any type of selection for political merit, slander or libel others, or false information on the media or webpage; and

35.15.5. To make a contract or oral deal to give cash or good at his/her or others' expense in the future or make a promise to give largess or share or stock, intermediate for a job or have one to get a job and others.

35.16. Article 35.15.2 hereof shall be inapplicable to activities that are conducted with public or local funds.

35.17. A party, coalition, or candidate to participate in the election from the start of the election year to the end of the polling is forbidden to obtain advice, assistance, or support from a foreign citizen or legal entity in relation to the electoral campaign directly or indirectly.

35.18. A party, coalition, or candidate, or party or coalition's electoral body, its staff, aide to candidate, or electioneer is forbidden to take or conduct the following action or activities in the course of the election campaign.

35.18.1. To run an electoral campaign in any manner from the end of the time frame set forth in Article 35.3 hereof to the end of the polling or conduct an opinion poll or publish or distribute its results in the week before the polling day;

35.18.2. To make a promise not included in the party or coalition's platform or take any action of that nature for the electoral campaign in terms of the candidate proposed by a party or coalition;

35.18.3. To perform work or provide services with state or other assets in the case of investment;

35.18.4. To distribute materials in excess of the quality set forth in Articles 35.4 and 35.5 hereof;

35.18.5. To place a campaign invitation, leaflet, poster, or announcement in places such as building wall, entrance, fence, and street lighting pole other than those set forth in Article 35.7 hereof;

35.18.6. To run a campaign in breach of Articles 35.8-35.12 hereof;

35.18.7. To use a loudspeaker from 23.00 (11 pm) to 10.00 am of the following day;

35.18.8. To decline to participate in the election or run a campaign calling for violation of election or other legislation;

35.18.9. To use religious rituals;

35.18.10. To distribute a machine, equipment, cash, drug, food, or other goods to a voter, his/her family members, minor, authority or organization, or staff free of charge or sell them at lower rates by himself/herself or through others or under the name of humanitarian, charitable, or religious organization or non-governmental organization or fund, or pay a wage or benefit to entice voters;

35.18.11. To provide household or health services free of charge or at lower rates or run medical checks to entice voters;

35.18.12. To organize a sports tournament or competition, festival, performance, chargeable puzzle, betting, or gambling, or participate therein as a sponsor to entice voters;

35.18.13. To hold reception, party, banquet, or non-election public events to entice voters;

35.18.14. To publish or post results of selection of any type for political merit on the media or webpage or distribute or publicize them;

35.18.15. To use vehicles or other assets of a state authority or state-owned or partially state-owned legal entity free of charge or on a chargeable basis for an electoral campaign in printing, reproducing, or transporting campaign materials in any manner;

35.18.16. To allow public servants other than political ones or minors to engage in an electoral campaign in any manner and get public servants other than political ones or minors to engage therein;

35.18.17. To include a promise to distribute or directly disburse public or local funds to citizens in a party or coalitions platform or spread it among voters orally or otherwise; or

35.18.18. To conduct other action or activities to buy voters' ballots.

35.19. Article 35.18 hereof shall be inapplicable to the delivery of reports on work performed by Members of Parliament (State Great Hural) or representatives of citizen representative assemblies

(hural) on all levels in the framework of the platform during their term of office to citizens and voters in the form of a newspaper or journal or other printed matter.

35.20. A party, coalition, candidate, party or coalition's electoral body and its staff, aide to candidate, or electioneer shall be deemed to use religious rituals in the event it or he/she organizes action or activities such as teachings of any religion, chant or mass as per canons, purification, religious ceremony for viewing Maidar, jassaa teachings, religious rite of summing prosperity, sacrifice, prayer, or worship of a cairn for its or his/her electoral campaign, engages in or finances such action or activities, or distributes a religious alms item or instrument.

35.21. Publicity of citizen's freedom to religion, relations between the state and religion, or policy and concepts on religion stipulated in a party, coalition, or independent's platform for voters shall not be deemed to be the action set forth in Article 35.20 hereof.

35.22. It is prohibited to run an electoral campaign in the following places.

35.22.1. State or local self-government authority;

35.22.2. State- or local government-owned or partially state- or local government-owned legal entity;

35.22.3. Humanitarian, charitable, or religious organization; and

35.22.4. Election committee.

35.23. Articles 35.22.1 and 35.22.2 hereof shall be inapplicable to Article 36.3 hereof.

35.24. In the event a party, coalition, or candidate runs an electoral campaign through the media, it or he/she shall be responsible for accuracy and actuality of an article or program prepared by itself or himself/herself or put in place as commissioned.

35.25. A media outlet shall be responsible for accuracy and actuality of electoral campaign-related articles or programs other than those set forth in Article 35.24 hereof prepared by itself or prepared and published or broadcast as commissioned.

35.26. A media outlet shall publish or broadcast the article or program set forth in Article 35.24 hereof based on an agreement made with a client and his/her name shall be clearly written on article or program materials and this shall be included in the total timing of the program.

35.27. The General Election Commission or district committee shall monitor equality of electoral campaign opportunity along with the public and resolve a petition or complaint lodged by a party, coalition, candidate, authority or organization, or citizen expeditiously.

35.28. It is prohibited to public funds allocated for activities of Members of Parliament (State Great Hural) in electoral districts from the date the election date is set and announced to the sum-up of election outcomes pursuant to Article 19.2 of the Political Party Law.

35.29. In the a voter notifies an election committee of distribution of cash or goods for voters in violation of Articles 35.15.1 and 35.18.10 hereof along with evidence and the latter transfers the case to a corresponding authority and the authority determines existence of a ground for the case, the General Election Commission shall give him/her a cash bonus equal to ten-fold increase in the total value of the cash or goods that shall be reimbursed by the culpable person/entity.

35.30. Provided that a citizen distributes false information on a party, coalition, or candidate's distribution of cash or goods and slanders it or him/her in violation of Articles 35.15.1 and 35.18.10 hereof which isn't serious enough to bring a criminal charge, he/she shall be subject to a fine in togrogs equal to seven-ten-fold increase in the monthly minimum wage.

35.31. A party or coalition who has violated Article 35.24 hereof shall be subject to a fine in togrogs equal to fifty-seventy-fold increase in the monthly minimum wage, candidate – that equal to fifty-seventy-fold increase in the monthly minimum wage, and media outlet that has violated Article 35.25 hereof – that equal to third-fifty-fold increase in the monthly minimum wage respectively.

35.32. A violation of Article 35.24 hereof committed by a candidate shall justify removing him/her from the slate or cancelling a decision made to register the party or coalition to allow it to participate in the election and the decision shall be made by the General Election Commission public.

35.33. A candidate who has violated related provisions of Article 35 other than those stipulated in Articles 35.24 and 35.25 shall be subject to a fine in togrogs equal to three-five-fold increase in the monthly minimum wage, party, coalition, media outlet, or other legal entities – that equal to fifteen-twenty-fold increase in the monthly minimum wage, and other persons/entities – that equal to three-five-fold increase in the monthly minimum wage respectively.

35.34. Provided that distribution of cash or goods for voters in violation of Article 35 hereof is determined after the candidate is deemed elected as Member of Parliament (State Great Hural) and obtains temporary credentials of Member of Parliament (State Great Hural), the temporary credentials of Member of Parliament (State Great Hural) of the person deemed elected as Member of Parliament (State Great Hural) shall be cancelled by the district committee if he/she registers with a district committee and by the General Election Commission if he/she registers the Commission respectively.

35.35. In the event a violation of Article 35.15 hereof committed by a candidate is determined after he/she is registered or candidate's violation of Article 35.18 hereof justifies removing him/her from the slate, the violator of Articles 35.18.10-35.18.13 hereof shall be transferred by a corresponding election committee to a competent authority to bring a criminal charge against him/her.

35.36. A violation of Article 35.20 hereof committed by a candidate or party or coalition is determined after he/she or it is registered to participate in the election, it shall justify removing the candidate from the slate or cancelling a decision made to register the party or coalition to allow to participate in the election and the decision shall be made by the General Election Commission.

35.37. A violation of Article 35.18.16 hereof committed by a public servant shall justify dismissing him/her giving him/her no right to return to the public service for a one-year period.

Article 36. Meeting, forum, or gathering with voters

36.1. A party, coalition, or candidate shall have a meeting, forum, or gathering with voters within the time frame set forth in Articles 35.1 and 35.3 hereof.

36.2. A governor of an administrative and territorial unit on a particular level is obliged to provide support for a party, coalition, or candidate in having a meeting, forum, or gathering and treat them equally.

36.3. A state or local government authority or state- or local government-owned or partially state- or local government-owned legal entity shall allow use of a cultural center or sports or meeting hall for the activities set forth in Article 36.1 hereof free of charge.

36.4. A party or coalition that has violated Article 36.1 hereof shall be subject to a fine in togrogs equal to five-seven-fold increase in the monthly minimum wage, candidate – that equal to two-four-fold increase in the monthly minimum wage, governor who has violated Article 36.2 hereof – that equal to three-five-fold increase in the monthly minimum wage, governor who has violated Article 36.2 hereof – that equal to three-five-fold increase in the monthly minimum wage, legal entity that has violated Article 36.3 hereof – that equal to five-seven-fold increase in the monthly minimum wage, and official – that equal to three-five-fold increase in the monthly minimum wage respectively.

CHAPTER EIGHT ELECTION EXPENSES

Article 37. Election expenses

37.1. The General Election Commission shall set the maximum amount of election expenses by one candidate proposed for a district by each district in consideration of the size and location of the district's territory and its population size and maximum amount of election expenses by a party or coalition within February 1 of the election year respectively.

37.2. A party or coalition's election expenses shall be covered by the party or coalition and election expenses of candidates proposed by a party or coalition by the party or coalition and candidates within the bounds of the maximum amount of expenses for elections set forth in Article 37.1 hereof candidate respectively and independent shall bear his/her own election expenses.

37.3. A party or coalition that has exceeded the maximum amount of election expenses set forth in Article 37.1 hereof shall be subject to a fine in togrogs equal to fifteen-twenty-fold increase in the monthly minimum wage and candidate – that equal to ten-fifteen-fold increase in the monthly minimum wage respectively.

Article 38. Election expenses account

38.1. A party or coalition shall open one election expenses account of candidates proposed by the party or coalition other than those proposed for districts in a bank within three days after it expresses its desire to participate in the election and registers with the General Election Commission and notify the General Election Commission and National Audit Office thereof in writing and make it public.

38.2. A party or coalition proposed candidates for districts shall open accounts for each candidate and independent – account of his/her election expenses in a bank within three days after it or he/she registers with the district committee and notify the General Election Commission and National Audit Office thereof in writing and make it public.

38.3. A candidate proposed by a party or coalition other than that proposed by the party or coalition for a district is forbidden to open an account other that set forth in Article 38.1 hereof and candidate proposed for a district – an account other that set forth in Article 38.2 hereof respectively.

38.4. A party, coalition, or candidate’s assets and donations from sponsoring organizations and citizens shall be accumulated in the accounts set forth in Articles 38.1 and 38.2 hereof and disbursed for their purposes through the accounts.

38.5. Assets accumulated in the accounts in Articles 38.1 and 38.2 hereof shall be disbursed for publicity of a party or coalition’s platform, promotion of candidates, organization of a meeting, forum, or gathering for election, and financing of expenses such as stationery, communications, transportation, per diem, wage, and bonus of a candidate, party or coalition’s electoral body, its staff, or aide to candidate.

38.6. A candidate who has violated Articles 38.3-38.5 hereof shall be subject to a fine in togrogs equal to three-five-fold increase in the monthly minimum wage and party or coalition that has violated Articles 38.4 and 38.5 hereof – that equal to five-seven-fold increase in the monthly minimum wage respectively and assets deposited outside the accounts set forth in Articles 38.1 and 38.2 hereof or accumulated in accounts opened in violation of Article 38.3 hereof shall be confiscated and transferred to the public budget.

38.7. A violation of Articles 38.3 and 38.4 hereof committed by a candidate shall justify removing him/her from the slate.

Article 39. Donations for election

39.1. The maximum amount of donations for a party, coalition, or candidate may be up to one million togrogs from an individual and up to three million togrogs from a legal entity.

39.2. The amount of donations set forth in Article 39.1 hereof shall be calculated based on the sum of assets accumulated in the accounts set forth in Articles 38.1 and 38.2 hereof.

39.3. A competent authority of a legal entity shall decide whether the latter can make a donation.

39.4. Donations in cash shall be made through the accounts set forth in Articles 38.1 and 38.2 hereof.

39.5. In the case of donations in kind they shall be converted into cash and added to the total amount of donations set forth in Article 39.1 hereof.

39.6. A party, coalition, or independent shall set forth the amount and forms of election donations in its or his/her statement on election expenses.

39.7. It is prohibited to receive donations from the following entities.

39.7.1. Foreign country's or foreign organization (foreign party of a joint organization);

39.7.2. International organization;

39.7.3. State or local government authority;

39.7.4. Foreign citizen;

39.7.5. Stateless person;

39.7.6. Citizen of Mongolia who hasn't attained the age of eighteen on the date the election date is set and announced;

39.7.7. State- or local government-owned or partially state- or local government-owned legal entity;

39.7.8. Legal entity that has tax debts determined by a court decision, has gone bankrupt, or has overdue bank loan debts;

39.7.9. Labor union or religious and other non-governmental organizations; or

39.7.10. Legal entity that hasn't been in operation for one year since it was set up.

39.8. It is prohibited to distribute foreign and domestic assistance funding for citizens or sell and use them for the election in the period of election organization.

39.9. Donations shall be made for election activities only in the election year in which case it is prohibited to make a donation for a party or coalition overlapping with that set forth in Article 18.3 of the Political Party Law.

39.10. A citizen who has violated Articles 39.1, 39.3, 39.4, and 39.9 hereof shall be subject to a fine in togrogs equal to three-five-fold increase in the monthly minimum wage, legal entity – that equal to five-seven-fold increase in the monthly minimum wage, party or coalition that has violated Articles 39.6-39.8 hereof – that equal to five-seven-fold increase in the monthly minimum wage, independent who has violated Article 39.6 hereof – that equal to three-five-fold increase in the monthly minimum wage, legal entity that has violated Articles 39.7.3 and 39.7.7-39.7.10 hereof – that equal to five-seven-fold increase in the monthly minimum wage, official – that equal to three-five-fold increase in the monthly minimum wage, and candidate, staff from a party or coalition's electoral body, aide to candidate, or electioneer who has violated Article 39.8 hereof – that equal to three-five-fold increase in the monthly minimum wage respectively.

39.11. Donations made in excess of the amount set forth in Article 39.1 hereof or those received from the entities and persons set forth in Article 39.7 hereof shall be made and transferred to the public budget.

39.12. A candidate's receipt and disbursement of donations from the persons/entities set forth in Article 39.7 hereof shall justify removing him/her from the slate.

Article 40. Preparation of statement on election expenses

40.1. Procedures for accumulating cash assets in an election expenses account, using a sample statement on expenditure, opening and closing an account, and accounting shall be approved jointly by the General Election Commission and the Bank of Mongolia.

40.2. A candidate proposed by a party or coalition shall deliver his/her statement on election expenses to the party or coalition within 15 days after the polling day ends and party, coalition, or independent shall deliver its or his/her election expenses statement to the General Election Commission within one month after the polling date ends.

40.3. A party, coalition, or independent shall ensure that the statement on election expenses set forth in Article 40.2 hereof (hereinafter referred to as "expenses statements") is audited and given an opinion.

40.4. A statement on expenses shall be prepared as per the following benchmarks.

40.4.1. Incomes and total amount of donations accumulated in the accounts set forth in Articles 38.1 and 38.2 hereof;

40.4.2. Sources of the incomes set forth in Article 40.4.1 hereof and types and amount of donations;

40.4.3. Last name (father or mother's), first name, place of residence, and amount and type of his/her donation of a citizen who made a donation;

40.4.4. Title, address, name (father or mother's) and first name of its Executive Director, and amount and type of his/her donation of a legal entity that made a donation;

40.4.5. Classification and performance of expenses; and

40.4.6. Amount and location of remaining assets.

40.5. A director of a bank in which a party, coalition, or independent's election expenses account is located shall prepare and deliver a statement that consolidates all transactions conducted in the account to the General Election Commission within the time frame set forth in Article 40.2 hereof.

40.6. The General Election Commission shall review and make expenses statement on expenses public within 45 days after the end of polling and make a citizen who has donated two hundred thousand or more togrogs public or legal entity that donated five hundred thousand or more togrogs respectively.

40.7. The General Election Commission shall ensure that the state audit office audits financing and its performance of a party, coalition, or candidate and give an opinion thereon if need be.

40.8. A party or coalition that has violated Articles 40.2-40.4 hereof shall be subject to a fine in togrogs equal to five-seven-fold increase in the monthly minimum wage, candidate – that equal to two-four-fold increase in the monthly minimum wage, and bank director who has violated Article 40.5 hereof – that equal to three-five-fold increase in the monthly minimum wage respectively.

**CHAPTER NINE
POLLING, SUM UP OF ELECTION OUTCOMES, REGISTRATION OF
MEMBER OF PARLIAMENT (STATE GREAT HURAL)**

Article 41. Polling station and timing

41.1. Polling shall be held in polling stations from 07.00 am 20.00 (8.00) pm on the polling day.

41.2. A unit committee shall announce the polling date, timing, and polling station to the public for a 14-day period until the polling day.

41.3. A governor of a soum or district in a unit shall ensure that polling stations with voting booths whose number is adequate for voters to vote by secret ballot, sealed mobile ballot boxes, and vote counting equipment are set up within a week before the polling day.

41.4. Instructions for setting up of a unit committee facility and polling station, and voting booth size and design shall be approved by the General Election Commission.

41.5. A party or coalition's electoral body and its staff or aide to candidate or electioneer are forbidden to stay in a polling station.

41.6. A polling station shall be put under police protection after the unit receives ballot papers.

41.7. A unit committee shall approve numbers, addresses, and locations of polling stations located in the unit or area plans if need be and announce and make them public within 30 days before the polling day and may organize it to ensure that a number of polling stations are located in one building or facility for this purpose.

41.8. A polling station shall have at least two voting booths that enable voters to vote freely and by secret ballot depending on the number of voters in the unit and at least one voting booth for the disabled shall be equipped and set up in each polling station.

41.9. The polling station set forth in Article 41.7 hereof may be relocated due to force majeure such as public disorder, floods, and fires and voters shall be notified thereof immediately.

41.10. A governor who has violated Article 41.3 hereof shall be subject to a fine in togrogs equal to three-five-fold increase in the monthly minimum wage and party or coalition or staff from a party or coalition's electoral body, aide, or electioneer that has violated Article 41.5 hereof – that equal to three-five-fold increase in the monthly minimum wage respectively.

Article 42. Ballot paper

42.1. A ballot paper is a principal document for voting and sum-up of election outcomes and shall meet the following requirements.

42.1.1. To be easy and clear for voters to vote in terms of content, writing, and design; and

42.1.2. To contain a short instruction for a voter on how to mark his/her vote.

42.2. A ballot paper shall have special security features and uniform security code.

42.3. A ballot paper shall be a sheet of paper consisted of two separate parts that has the names of candidates proposed for the district and names of the parties and coalitions.

42.4. The last name (father or mother's) of the candidate proposed for the district shall be written in small letters and his/her first name – in capital letters and name of the party or coalition proposed him/her on the part of the ballot paper that has the names of candidates proposed for the district.

42.5. The names of candidates shall be written on a ballot paper starting from a candidate whose party registered earliest with the Supreme Court according to dates the parties that proposed them registered.

42.6. The names of independents shall be written on a ballot paper after the names of candidates proposed by parties and coalitions on the part of the ballot paper that has the names of candidates proposed for the district in order of registration of candidacies with the district committee.

42.7. The names of parties or coalitions shall be written on the part of the ballot paper that has the names of parties or coalitions starting from a party that registered earliest and according to dates they registered with the Supreme Court.

42.8. Coalitions shall be arranged in the order set forth in Article 42.7 hereof according to the registration date a party registered with the Supreme Court earliest from amongst the parties joined the coalition.

42.9. The design and number of ballot papers and procedures for publishing, storing, delivering, and protecting it shall be approved by the General Election Commission.

42.10. The General Election Commission shall get ballot papers published and hand in them to district committees and the latter shall hand in them to unit committees through sub-district committee five days before the polling day respectively.

42.11. An election committee shall receives ballot papers in the presence of all its persons and report thereon shall be prepared and signed by its chairman, secretary, and all members present.

42.12. Provided that the chairman, secretary, or member of an election committee declines to sign the report set forth in Article 42.11 hereof he/she is obligated to raise a reason and grounds for it in writing and hand in them to the election committee.

42.13. If the majority of all election committee persons sign a report pursuant to Article 42.11 hereof the election committee shall be deemed to receive ballot papers.

42.14. Polling or voting with ballots that don't comply with the design and requirements set forth in this Law is prohibited.

42.15. A chairman or secretary of an election committee who has violated Articles 42.12 and 42.14 hereof shall be subject to a fine in togrogs equal to three-five-fold increase in the monthly minimum wage and member – that equal to two-four-fold increase in the monthly minimum wage respectively.

Article 43. Polling

43.1. A chairman of a unit committee shall report the following information after all unit committee persons open, show, check, seal, and wax vote counting equipment and all ballot boxes at 07.00 am on the polling day in the presence of voters' representatives.

43.1.1. The number of voters on the electoral roll;

43.1.2. The number of ballot papers received, stolen, lost, and remained; and

43.1.3. Index numbers of ballot papers.

43.2. A report covering the action and information set forth in Article 43.1 hereof in detail shall be prepared and signed by the chairman, secretary, and all members of a unit committee.

43.3. An election observer may sign the report set forth in Article 43.2 hereof to confirm that he/she is exposed to it.

43.4. After a unit committee perform the action set forth in Articles 43.1-43.3 hereof it shall commence the polling and check citizen identification cards against the electoral roll and give each voter a ballot paper for this purpose.

43.5. The voter who has received a ballot paper shall certify it signing the electoral roll.

43.6. Election observers appointed by parties, coalitions, independents, and media representatives may be present in the polling.

43.7. Entrance of candidates and other persons/entities to a polling station is prohibited and this shall be inapplicable to their voting.

43.8. Procedures for polling through sealed mobile ballot box shall be approved by the General Election Commission.

43.9. A chairman or secretary of an election committee who has violated Articles 43.1, 43.2, 43.4, and 43.5 hereof shall be subject to a fine in togrogs equal to three-five-fold increase in the monthly minimum wage, member – that equal to two-four-fold increase in the monthly minimum wage, and candidate or citizen who has violated Article 43.7 hereof – that equal to two-four-fold increase in the monthly minimum wage, and official – that equal to three-five-fold increase in the monthly minimum wage respectively.

Article 44. Election observer

44.1. A party, coalition, or independent shall appoint and employ its or his/her election observer (hereinafter referred to as “observer”).

44.2. The observer set forth in Article 44.1 hereof shall register with and obtain an observer identification card from a unit committee at least 3 days before the polling day.

44.3. A request made to employ or have an observer registered shall be not accepted if the time frame set forth in Article 44.2 hereof expires.

44.4. An observer shall observe and monitor the process of preparation of electoral rolls, polling, vote counting, and sum-up of election outcomes from outside only to see whether they take place in compliance with election legislation and exercise the following rights.

44.4.1. To be exposed to electoral rolls;

44.4.2. To be exposed to sealing of ballot papers;

44.4.3. To observe vote counting;

44.4.4. To be exposed to independent’s filled in supporter-voter signature collection forms ;

44.4.5. To be exposed to an electoral roll for polling through sealed mobile ballot boxes, routes, and schedule;

44.4.6. To see whether voting booths, sealed mobile ballot boxes, vote counting equipment, and polling stations are set up according to legislation;

44.4.7. Polling stations shall have seats one can observe the entire polling process from;

44.4.8. To notify the chairman of the unit committee of the violation and ask him/her to rectify it and certify it by preparing a report and doing audio and video recording thereon and get a witness to sign it in the case of a violation committed during the polling;

44.4.9. To obtain corresponding information from unit committee members; and

44.4.10. To make his/her observation report public and publish it.

44.5. One observer from each party, coalition, or independent may make and obtain soft copy of images and quantitative data of the part of ballot papers in which votes are marked from the unit after the end of the polling.

44.6. If an observer uses illegal means such as demand for the exercise of rights not set forth in Article 44.4 hereof, uses of force, intimidation, distribution of false information to the public and intervenes in election committee work, the unit committee shall deprive him/her of his/her candidate rights and confiscate his/her identification card.

44.7. Provided that an observer's rights are deprived of pursuant to Article 44.6 hereof the party, coalition, or independent named him/her shall have no right to appoint his/her replacement and if such a request is made, the election committee shall decline to accept it.

44.8. Election observation procedures shall be approved by the General Election Commission.

44.9. Relations associated with election process observation and reporting of a foreign or domestic organization or media outlet shall be regulated as per the procedures set forth in Article 44.8 hereof.

44.10. An observer who has violated Article 44.6 hereof shall be subject to a fine in togrs equal to two-four-fold increase in the monthly minimum wage, chairman or secretary of an election committee that has violated Article 44.7 hereof – that equal to three-five-fold increase in the monthly minimum wage, and member – that equal to two-four-fold increase in the monthly minimum wage respectively.

Article 45. Voting

45.1. A voter shall come to the polling station and cast his/her vote in person.

45.2. A voter is forbidden to do the following things.

45.2.1. To vote though he/she knows that he/she isn't entitled to vote in the polling station or vote, attempt to vote, or deceive using someone else's document or false document and the like;

45.2.2. To use a ballot paper other than that given by the unit committee for voting, enter the polling station with a ballot paper from outside, or take a ballot paper out of the polling station;

45.2.3. To conduct action such as taking photos and doing video recording to certify his/her vote marked in the ballot paper;

45.2.4. To show a mark he/she made in the ballot paper to others; or

45.2.5. To make a promise to vote or not to vote for any party, coalition, or candidate or demand or take cash or goods.

45.3. A voter shall make a mark according to the instruction set forth in Article 42.1.2 hereof only to mark his/her vote in a ballot paper.

- 45.4. Each voter shall pick up a ballot paper and cast his/her vote by secret ballot in a voting booth.
- 45.5. A voter shall mark the numbers in front of the last names (father or mother's) and first names of candidates whom he/she supports and whose number equals with the number of mandates allotted for the district on the part of the ballot paper in which the names of candidates proposed for the district are written.
- 45.6. A voter shall mark the name of only one party or coalition he/she supports on the part of the ballot paper in which the names of parties or coalitions proposed for the district are written.
- 45.7. A voter shall put the ballot paper in the vote counting equipment (ballot box) after he/she marks his/her vote pursuant to Articles 45.5 and 45.6 hereof.
- 45.8. Procedures associated with voter's making his/her vote in ballot paper and putting ballot paper in vote counting equipment (ballot box) shall be approved by the General Election Commission.
- 45.9. In the event a voter makes an error and marks his/her ballot paper incorrectly, he/she may obtain a ballot paper once again and cast his/her vote pursuant to Articles 45.5 and 45.6 hereof after he/she informs the unit committee thereof and allows it to check and confiscate the ballot paper with the error before he/she puts it into the vote counting equipment (ballot box).
- 45.10. A unit committee shall prepare a report on and keep the ballot paper confiscated pursuant to Article 45.9 hereof.
- 45.11. Persons other than the voter are forbidden to be in the voting booth.
- 45.12. A voter that can't vote in person due to bodily injury, state of health, and level of education, he/she may vote with the assistance of his/her authorized and eligible voting citizen.
- 45.13. Staff from a party or coalition's electoral body, aide to candidate, electioneer, chairman, secretary, or member of an election committee, or observer is forbidden to act as authorized person set forth in Article 45.12 hereof.
- 45.14. A unit committee shall check whether the voting takes place legally without prejudice to the right of a voter to vote by secret ballot and in the event of a violation it shall take action to terminate it.
- 45.15. The following voter who can't come to a polling station shall be polled through a sealed mobile ballot box based on his/her request, medical certificate, or note from a corresponding organization on the day before the polling day.
- 45.15.1. Who can't come to a polling station in person due to his/her health condition;
 - 45.15.2. Who is undergoing public mobilization;
 - 45.15.3. Who is apprehended, detained, or convicted due to an administrative offence; and

45.15.4. Who is apprehended or imprisoned due to legal procedure and coercive action.

45.16. The request, certificate, or note set forth in Article 45.15 hereof shall be provided at least five days before the polling day and unit committee shall prepare a separate electoral roll of voters to be polled through sealed mobile ballot boxes and discuss and approve routes and schedule of polling in its meeting.

45.17. At least two members of a unit committee shall come to the place of residence of a voter included in the electoral roll set forth in Article 45.16 hereof and poll him/her.

45.18. Polling a voter not included in the electoral roll set forth in Article 45.16 hereof through a sealed mobile ballot box is prohibited.

45.19. A unit committee shall keep votes cast by voters polled through sealed mobile ballot boxes pursuant to Article 45.15 hereof confidential.

45.20. The procedures set forth in Articles 45.1-45.8, 45.12, and 45.13 hereof shall be abided in polling the voter set forth in Article 45.15 hereof.

45.21. Administration of a corresponding authority or organization of a voter working on the polling date is entitled to give him/her a leave and enable him/her to vote.

45.22. In the event a violation of Article 45.2 hereof committed by a citizen isn't serious enough to bring a criminal charge against him/her, he/she shall be subject to an administrative sanction of 14-day detention.

45.23. A chairman or secretary of an election committee who has violated 45.10, 45.12, and 45.17-45.19 hereof shall be subject to a fine in togrogs equal to three-five-fold increase in the monthly minimum wage, member – that equal to two-four-fold increase in the monthly minimum wage, person/entity that has violated Article 45.11 hereof – that equal to two-four-fold increase in the monthly minimum wage, official that has violated Article 45.21 hereof – that equal to three-five-fold increase in the monthly minimum wage, and legal entity – that equal to five-seven-fold increase in the monthly minimum wage respectively.

Article 46. Vote counting

46.1. Vote counting shall start at 20.00 (8.00) pm in units and it shall be conducted in a transparent and open manner in the presence of observers and media representatives.

46.2. As soon as vote counting preparation is made a chairman of a unit committee shall announce vote counting and unit committee shall conduct this activity according to the following procedures.

46.2.1. To check whether the number of all voters voted matches with the number of ballot papers allocated for polling and make final calculation;

46.2.2. To count ballot papers that remain unused or are confiscated due to incorrect marks separately and cut off upper right corners thereof and put it in a report and pack up and seal them;

46.2.3. To put ballot papers of votes cast through sealed mobile ballot boxes in vote counting equipment (ballot box) after performing the action set forth in Articles 46.2.1 and 46.2.2 hereof; and

46.2.4. To sum up polling outcomes by each unit after the end of polling.

46.3. Polling outcomes shall be summed up as per the following benchmarks.

46.3.1. The number of all voters from the unit registered with the electoral roll;

46.3.2. The number of all voters voted and number of voters voted through sealed mobile ballot boxes from amongst them ;

46.3.3. The number of valid and spoilt ballot papers;

46.3.4. Number and percentages of votes obtained by each candidate, party, and coalition;

46.3.5. Number and percentages of votes obtained by that party or coalition only provided that a decision made to register a party or coalition to allow it to participate in the election is repealed on the grounds set forth in this Law after ballot papers are published, and voters support and marks the party or coalition in ballot papers; and

46.3.6. Number and percentages of votes obtained by that candidate only provided that a candidate is removed from the electoral roll or decision made to register a party or coalition proposed his/her candidacy to allow it to participate in the election is repealed on the grounds set forth in this Law after ballot papers are published, and voters support and marks the candidate in ballot papers;

46.4. Votes obtained by a party, coalition, or candidate shall be summed up based on valid ballot papers.

46.5. In the event the sum of ballot papers that are used for the polling and remain unused differs with that of all ballot papers received by the unit committee, the unit committee shall inspect and determine the reason and recount the ballot papers immediately if need be.

46.6. In the event the difference set forth in Article 46.5 hereof arises during the polling, a report thereon shall be prepared and signed by the persons who engaged in the vote counting.

46.7. The number of ballot papers used for the polling shall be calculated based on the sum of all ballot papers processed by vote counting equipment and those confiscated pursuant to Article 46.2.2 hereof.

46.8. It is prohibited to get vote counting equipment to count votes prior to the polling time and interrupt vote counting process.

46.9. Ballot papers in which no marks are made shall be deemed to be valid ballot papers and votes cast in support of nobody.

46.10. After a unit committee discusses, makes a decision on, and read out outcomes of vote counting in its meeting, it shall pack up and seal and deliver valid and spoilt ballot papers along with a resolution and report on polling outcomes and other documents to a sub-district committee or district committee immediately in case a sub-district committee is non-existent.

46.11. Ballot papers sealed pursuant to Article 46.10 hereof shall be kept in aimag or capital city archives as per confidentiality procedures and unpacking or destroying sealed ballot boxes in circumstances other than those set forth in laws and regulations is prohibited.

46.12. A chairman or secretary of an election committee who has violated the vote counting procedures set forth in Articles 46.1-46.9 hereof shall be subject to a fine in togrogs equal to three-five-fold increase in the monthly minimum wage, member – that equal to two-four-fold increase in the monthly minimum wage, and archives official who has violated Article 46.11 hereof – that equal to three-five-fold increase in the monthly minimum wage respectively.

46.13. A chairman, secretary, or member of an election committee subject to an administrative sanction as set forth Article 46.12 hereof shall be removed from the composition of the election committee and if the violation is serious the appropriate election committee shall transfer the case to a competent authority to ensure that it imposes legal liability.

Article 47. Spoilt ballots and ballot papers

47.1. The following votes shall be deemed spoilt.

47.1.1. Votes set forth in Articles 46.3.5 and 46.3.6 hereof;

47.1.2. Votes cast for candidates in excess of or below the number of mandates allocated for the district; and

47.1.3. Vote cast for more than one party or coalition.

47.2. Ballot papers shall be deemed spoilt in the following cases.

47.2.1. In case votes are cast in ballot papers failed to comply with the approved design and requirements; and

47.2.2. In case a voter makes a different mark as opposed to what is set forth in the instruction on how to mark a vote provided in a ballot paper.

Article 48. Sum-up of election outcomes in district and registration of Member of Parliament (State Great Hural)

48.1. A district committee shall sum up polling outcomes delivered by sub-district and committees based on the benchmarks set forth in Article 46.3 hereof and divide final outcomes of polling conducted in the district into votes obtained by candidates and those obtained by parties and coalitions.

48.2. A district committee shall make a slate (hereinafter referred to as “slate “A””) by arranging candidates in order of the number of votes they have obtained in the district and candidates who have obtained most votes but 28 or more percent of votes cast by voters and whose number equals with that of mandates shall be deemed directly elected for Members of Parliament (State Great Hural).

48.3. In the event none of the candidates proposed for a district fails to obtain 28 or more percent of votes cast by voters, the outcomes shall be summed up separately.

48.4. In the event it turns out that the number of candidates obtained 28 or more percent of votes cast by voters in the district is below the number of the mandates allocated for the district, a re-election shall be held for the mandates remained.

48.5. In the event the number of votes obtained by candidates to be allocated for mandates has equilibrium in the restriction after candidates who have obtained most votes but 28 or more percent of votes cast by voters on slate “A” set forth in Article 48.2 hereof are restricted to the number of the mandates to be allocated for the district, the candidates shall be involved in the re-polling and those who have obtained most votes shall be deemed elected as Members of Parliament (State Great Hural).

48.6. Candidates who have obtained most votes in the re-polling set forth in Article 48.4 hereof and whose number doubles the remaining number of candidates shall be involved in the re-polling and voters shall vote for candidates whose number equals with that of the remaining mandates only.

48.7. A district committee shall consolidate the number of votes cast by voters for parties or coalitions by each party or coalition and sum up outcomes of the re-polling.

48.8. A district committee shall discuss and make a decision on outcomes of the re-polling and those of the election in its meeting within three days and deliver them to the General Election Commission within two days.

48.9. A district committee shall issue a temporary credentials of Members of Parliament (State Great Hural) for the candidates deemed elected as Members of Parliament (State Great Hural) pursuant to Articles 48.2 and 48.5 hereof.

48.10. In the event of a dispute arising from outcomes of the re-polling, a district committee shall resolve it within 14 days after the re-polling.

Article 49. Sum-up of outcomes of election, allocation of seats, and reporting

49.1. The General Election Commission shall sum up the outcomes of the election delivered by district committees pursuant to Article 48 hereof nationwide and allocate seats for parties and coalitions in the following manner.

49.1.1. To calculate the total number of all votes obtained by each party and coalition and make a slate (hereinafter referred to as “slate “B””) by arranging parties and coalitions that have obtained at least five percent of all votes obtained by all parties and coalitions in order of percentages of votes they have obtained;

49.1.2. To distribute percentage of all votes obtained by parties and coalitions that have failed to pass the five-percent threshold set forth in Article 49.1.1 hereof proportionally and add them to percentage of votes obtained by each party and coalition included in slate “B;”

49.1.3. To calculate a percentage per seat by dividing the sum of percentages of votes obtained by parties and coalitions and included in slate “B” set forth in Article 49.1.2 hereof by 28; and

49.1.4. To distribute 28 seats of Members of Parliament (State Great Hural) proportionally based on the principle of big remainder by dividing percentages of votes of each party and coalition included in slate “B” and set forth in Article 49.1.2 hereof by the percentage per seat set forth in Article 49.1.3 hereof.

Notes: “Proportional distribution according to the principle of big remainder” means completion of distribution of all seats through distribution of seats that equal whole parts in the first place after calculation of the number of seats in fractions allocated for percentages of votes obtained by parties and coalitions, and distribution of additional seats for parties and coalitions one by one starting from those that have big remainders or fractional parts in the event of undistributed seats.

49.1.5. To remove the following candidates from slate “A” set forth in Article 48.2 hereof and make a slate (hereinafter referred to as “slate “C””) by equally dividing and adding the sum of percentages of votes obtained by the removed candidates for and to candidates other than those remained in the slate and deemed elected as Members of Parliament (State Great Hural).

49.1.5. a. Candidate obtained less than 28 percent of votes cast by voters;

49.1.5. b. Independent not deemed elected as Member of Parliament (State Great Hural) pursuant to Article 48.2 hereof though he/she has obtained 28 or more percent of votes cast voters;

49.1.5. c. Candidate not deemed elected as Member of Parliament (State Great Hural) pursuant to Article 48.2 hereof, though he/she has obtained 28 or more percent of votes cast voters, and proposed by a party or coalition obtained at least five percent of votes nationwide.

Notes: A percentage of votes obtained by a candidate not deemed elected as Member of Parliament (State Great Hural) in slate “C” though he/she engaged in the re-polling pursuant to Article 48.5 hereof means the percentage of votes obtained in the first polling.

49.1.6. To make a slate (hereinafter referred to as “slate “D””) by each party and coalition by arranging candidates included in slate “C” made for each district and set forth in Article

49.1.5 hereof and not deemed elected as Members of Parliament (State Great Hural) pursuant to Articles 48.2 and 48.5 hereof by each party and coalition in order of percentages of votes in slate “C” they have obtained, and candidates proposed by the parties and coalitions other than those proposed for districts after the above candidates by each party and coalition in order of the order thereof in the slate set forth in Article 27.5.4 hereof;

Notes: In the event percentages of votes obtained by candidates from one party or coalition have equilibrium in making slate “D,” the General Election Commission shall undertake to put it in order based on the number of votes obtained by the candidates in the districts.

49.1.7. To deem candidates of a party or coalition, whose number equals the number of seats allocated for the party or coalition pursuant to Article 49.1.4 hereof starting from the beginning of slate “D” set forth in Article 49.1.6 hereof, elected as Member of Parliament (State Great Hural).

49.2. The General Election Commission shall issue temporary credentials of Members of Parliament (State Great Hural) for candidates deemed elected as Members of Parliament (State Great Hural) pursuant to Article 49.1.7 hereof.

49.3. The General Election Commission shall issue and submit the number of seats of parties and coalitions and list of persons elected as Members of Parliament (State Great Hural) to the President of Mongolia and make them public within 15 days following the end of the election.

CHAPTER TEN
POLLING, CANCELLATION OF ELECTION, RE-POLLING,
RE-ELECTION, AND BY-ELECTION OF MEMBER
OF PARLIAMENT (STATE GREAT HURAL)

Article 50. Cancellation of polling held in unit and re-polling

50.1. A district committee shall cancel polling held in units in the following cases.

50.1.1. If polling is held in places other those that have been announced in the absence of excuses for natural disaster and other unforeseen danger and on dates other than the polling one in a circumstances other than those in which votes are cast through sealed mobile ballot boxes;

50.1.2. If a ballot box through which polling was held is stolen, lost, or opened before the timing set forth in the Law; or

50.1.3. If any action to use force or put pressure on a chairman, secretary, or member of an election committee or voters leads to distortion of votes voters cast and polling outcomes.

50.2. In the event a district committee deems polling held in a unit cancelled, it shall hold re-polling within a week after a decision thereon is made.

50.3. A decision to hold re-polling shall be made by a district committee and polling stations and timing shall be set forth in this decision and it may be held on a working day.

50.4. In the event polling is deemed cancelled in an entire unit, all its voters shall be allowed to engage in re-polling and in the event votes cast through sealed mobile ballot boxes, voters voted through the ballot boxes shall be allowed to engage therein.

50.5. Running an electoral campaign is prohibited until the end of re-polling.

50.6. An electioneer, aide, supporter, or staff from a party or coalition's electoral body who has violated Article 50.5 hereof shall be subject to a fine in togrogs equal to two-four-fold increase in the monthly minimum wage, official – that equal to three-five-fold increase in the monthly minimum wage, and party, coalition, or other authorities or organizations – that equal to five-seven-fold increase in the monthly minimum wage respectively.

Article 51. Cancellation of polling held in unit and re-polling

51.1. The General Election Commission shall deem polling held in a district cancelled in the following cases.

51.1.1. If none of candidates proposed for a district obtain 28 or more percent of votes cast by voters;

51.1.2. If more than 50 percent of all voters registered with a district electoral roll fail to engage in the polling; and

51.1.3. If the re-polling held pursuant to Article 50 hereof is cancelled and this can have a serious impact on outcomes of the district election.

51.2. In the event the election held pursuant to Article 51.1 hereof in a district is cancelled, a decision to hold a re-election shall be made by the General Election Commission.

51.3. In the event an election held pursuant to Article 51.1.1 hereof in a district is cancelled and decision to hold a re-election is made, voters shall vote for candidates proposed for the district only.

51.4. A re-election shall be held within 30 days after a decision to cancel the election in the district is made.

51.5. Corresponding provisions of Article 52 hereof shall be abided for re-election organization such as creation of new district and unit committees and candidate nomination for Members of Parliament (State Great Hural) if need be.

Article 52. Filling of seat assumed and dropped by Member of Parliament (State Great Hural) and by-election of Member of Parliament (State Great Hural)

52.1. In the event a Member of Parliament (State Great Hural) elected in a district dies or transfers to another job or is discharged for excuses such as a state of health voluntarily or withdrawn from Member of Parliament (State Great Hural), a by-election shall be held.

52.2. In the event a Member of Parliament (State Great Hural) elected from slate “D” set forth in Article 49.1.6 hereof dies or transfers to another job or is discharged for excuses such as a state of health voluntarily or withdrawn from Member of Parliament (State Great Hural), the first candidate arranged in the subsequent order of the party or coalition in slate “D” shall be deemed elected for Member of Parliament (State Great Hural) by a by-election for the vacant seat of Member of Parliament (State Great Hural) and if no candidates remain in the slate a by-election shall be held.

52.3. In the event a Member of Parliament (State Great Hural) assumes and drops his/her seat in circumstances other than that in which he/she dies during a regular session of the Parliament (State Great Hural), the by-election set forth in Articles 52.1 and 52.2 hereof shall be announced within 14 days and held within 30 days after he/she assumes and drops his/her seat and announced and held within the same time frames after a regular session starts in case he/she assumes and drops his/her seat in a period in which a regular session of the Parliament (State Great Hural) recesses.

52.4. In the event a Member of Parliament (State Great Hural) dies, a by-election shall be announced within 50 days after this date and if this happens in a period in which the Parliament (State Great Hural) session recesses, this issue shall be resolved in a sitting of the first week of the next Parliament (State Great Hural) session.

52.5. A by-election shall be organized within the following time frames in accordance with corresponding provisions of this Law.

52.5.1. To organize a unit 25 days, district committee 20 days, sub-district 17 days, and unit committee 15 days before the polling day respectively;

52.5.2. To commence candidate nomination five days later and end it within five days after a date is announced for a by-election;

52.5.3. To register candidates within five days after the time frames set forth in Article 52.5.2 hereof;

52.5.4. To prepare and deliver an electoral roll as per the procedures set forth in Article 20 hereof to a unit committee 12 days before the polling day;

52.5.5. A unit committee shall check an electoral roll pursuant to Article 20.11 hereof and place it in its facility at least 10 days before the polling day thus, enabling voters to see it freely.

52.6. In the event no more than one year remains until the term of office of a Member of Parliament (State Great Hural) who assumed and dropped his/her seat, the assumed and dropped seat shall be filled.

52.7. The term of office of a Member of Parliament (State Great Hural) elected by a by-election shall equal the remaining term of office the Member who assumed and dropped his/her seat.

CHAPTER ELEVEN
LIABILITY FOR VIOLATOR OF ELECTION LEGISLATION AND JURISDICTION AND
PROCEDURES FOR COMPLAINT AND DISPUTE RESOLUTION

Article 53. Liability of violator of election legislation

53.1. Administrative liability set forth in this Law shall be imposed on a violator of election legislation.

53.2. In the event action or inaction of a violation of election legislation is of criminal nature, a criminal charge set forth in the Criminal Law shall be brought to the violator.

53.3. In the event material or other damage is caused to others due to violation of election legislation in the course of election activities, the liability set forth in the Civil Law and other applicable laws shall be imposed on the violator.

53.4. Imposition of administrative liability on a person who has committed the violation set forth in this Law shall not justify releasing him/her from criminal liability.

Article 54. Jurisdiction of resolution of complaint about or dispute over
violation of election legislation

54.1. In the event a violation that falls under the jurisdiction of an election committee pursuant to this Law is committed, a complaint about this shall be lodged with a corresponding election committee.

54.2. The administrative sanction set forth in this Law shall be imposed by a judge of a soum, inter-soum, or city district court of law and appeal against it shall be reviewed and resolved by a soum, inter-soum, or city district court of law pursuant to the Civil Procedure Law.

54.3. In the event grounds for imposing liability set forth in criminal and civil legislation on a violator of a relevant provision of this Law are existent, the case shall be resolved as per the procedures and jurisdiction set out the Criminal Procedure Law¹⁵ and Civil Procedure Law.

54.4. A superior election committee shall make a decision on removal of a chairman, secretary, or member of a district, sub-district, or unit committee from the election committee on the grounds set forth in this Law and the decision shall provide grounds on which an official who has power can remove a public servant worked as chairman, secretary, or member for the election committee giving him/her no right to return to the public service for a one-year period pursuant to the Public Service Law.

Article 55. Complaint and dispute and
appropriate action by unit committee

¹⁵ Criminal Procedure Law published in issue 6, "State Information" bulletin 2002

55.1. A unit committee shall receive and resolve the following complaints and disputes.

55.1.1. Complaint about absence of registration or incorrect registration with the electoral roll set forth in Article 20 hereof; or

55.1.2. Complaint about an observer's violation set forth in Article 44.6 hereof.

55.2. A unit committee notifies a corresponding state registration office of the complaint set forth in Article 55.1.1 hereof within two working days and resolve the complaint set forth in Article 55.1.2 hereof within two working days or resolve the complaint within the same day in case a complaint is made on the day before the polling day and take action to address the detected violations within the bounds of its powers.

**Article 56. Complaint or dispute to be reviewed
and resolved by district committee**

56.1. A district committee shall review and resolve the following complaints and disputes.

56.1.1. Complaint about a decision made by a unit committee that reviewed and resolved the complaints set forth in Article 55.1 hereof;

56.1.2. Complaint about or dispute over registration of or decline to register a candidate on the grounds set forth in this Law;

56.1.3. Information on or complaint about the conduct of the action and activities set forth in Articles 35.18 and 35.22 hereof;

56.1.4. Information on or complaint about a violation of Articles 39.7 and 39.8 hereof;

56.1.5. Complaint about or dispute over removal of a candidate proposed for a district from the electoral roll;

56.1.6. Complaint lodged or dispute arisen in relation to outcomes of polling held in a unit after they are received by the district committee.

56.2. A district committee shall resolve the complaints and disputes set forth in Articles 56.1.1-56.1.5 hereof within three days and those stipulated in Article 56.1.6 hereof within 14 days after it receives such complaints and disputes respectively.

**Article 57. Complaint or dispute to be reviewed and resolved by
the General Election Commission**

57.1. The General Election Commission shall review and resolve the following complaints and disputes.

57.1.1. Complaint about registration of or decline to register a party or coalition;

57.1.2. Complaint about or dispute over a decision made by a district committee that summed up outcomes of the polling in violation of laws;

57.1.3. Complaint about or dispute over registration of or decline to register a candidate on the grounds set forth in this Law;

57.1.4. Complaint about or dispute over removal of candidates other those proposed by parties and coalitions for districts from the electoral roll;

57.1.5. Complaint about a decision made by a district committee that reviewed and resolved the complaint or dispute set forth in Article 56.1 hereof; or

57.1.6. Complaint about or dispute over a decision made by the General Election Commission within the bounds of its powers.

57.2. The General Election Commission shall review and resolve the complaints and disputes set forth in Articles 57.1.1-57.1.4 hereof immediately but within three days after it receives them and those stipulated in Articles 57.1.5, 57.1.6 hereof immediately but within 14 days after it receives them.

57.3. The General Election Commission shall make a decision on the issues set forth in Article 57.1 hereof.

57.4. The General Election Commission is entitled to suspend a decision made by an inferior election committee until the complaints or disputes set forth in Article 57.1 hereof are resolved if need be.

Article 58. Review and resolution of other disputes over activities of election committee

58.1. Unless provided otherwise in laws a complaint about a decision on election organization made by a unit or sub-district committee may be lodged with a district committee and that made by a district committee with the General Election Commission respectively and appropriate election shall review and resolve a complaint and respond to the complainant in writing within three working days after it receives it.

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Article 59. Automation of election activities

59.1. A separate law shall regulate application of information and communications technology for election activities on particular levels to facilitate and automate election committee work during election activities, review electoral rolls, issue accurate information on election process expeditiously, and remove negative effects of human factors on vote counting and make them transparent for voters.

59.2. The General Election Commission shall expose information and communications technology solutions on vote counting and sum-up of outcomes to and agree with the Parliament (State Great Hural) Standing Committee on State Structure.

59.3. The Parliament (State Great Hural) of Mongolia shall include expenses in relation to application of information and communications technology for election activities submitted by the General Election Commission in a public budget of the year before the regular election.

**Article 60. Passage and amendment of the Law on Parliament
(State Great Hural) of Mongolia Election**

60.1. Passage or amendment of the Law on Parliament (State Great Hural) of Mongolia Election within six months before a regular election of the Parliament (State Great Hural) is prohibited.

Article 61. Effective Date of the Law

61.1. This Law shall be effective as from December 15, 2011.