For 2022, the quota ranges from 10% to 60% depending on the industry sector and the number of Mongolian employees. For those sectors which are not directly mentioned in the Resolution #339, the total number of foreign employees should not exceed 5% of the total headcount of the Mongolian staff if its total headcount is more than 20 as same as previous years.

In the resolution of the previous year (Quota for foreign employees for 2021), foreign invested companies were allowed to bring three foreign management staff and one investor/shareholder, who are not subject to the said quota. According to the Resolution #339, international organizations and representative offices can bring two foreigners based on the reference letter of the international organization, who are not subject to the said quota.

If entities need to bring more expats to Mongolia for nationwide or large scale projects, they may be exempted from this ratio and a monthly workforce fee subject to approval of the Cabinet based on a general application procedure.

Under the Resolution #339, the quota for most of the sectors remains the same. Activities of pre-school education (combined quota for pre-school, primary and secondary education was 50%) have been removed from the list and the current quota of 2022 regarding the primary and secondary education are respectively 10% and 20%.

In contrast, some activities have been added to the list as follows:

- Electricity and heat generation, transmission and distribution (the quota is 10 - 40%);
- Catering services (the quota is 15 - 30%);

The quota for the hotel, apartment and accommodation service activities were increased by 5 – 20% from being 10% previously and the metal processing industry showed significant rise from being 15% previously to 50%. While the quota for educational institutions offering international programs with intergovernmental agreements and foreign investment has decreased by 20% compared to the previous year.

Currently the Parliament is discussing a draft Law of Mongolia on Labour Migration which intends to provide a different mechanism for establishing foreign workers quota and the process for granting work permits to foreign nationals. We will update our clients on this regulatory changes when the law is adopted and publicly available.

Please refer to the link below for more details
https://legalinfo.mn/mn/detail/16381557161751

Should you have more questions with this regard, please do not hesitate to contact us.