

**LAW ON BENEFITS PROVIDED BY THE FUND OF
SOCIAL INSURANCE AGAINST EMPLOYMENT
INJURY AND OCCUPATIONAL DISEASES**

Ulaanbaatar, 7 June 1994

(amended as of 28 January 2000)

CHAPTER ONE

General provisions

Article 1. Purpose Of The Law

The purpose of this Law is to govern relations respecting pensions, benefits and payments provided to the insured by the Fund of Social Insurance against Employment Injury and Occupational Diseases as stated in the Social Insurance Law.

Article 2. Employment Injury

1. "Employment injury" is being injured due to the adverse effects of employment and similar thereto factors in the prosecution of duties. Acute toxicity is being under toxic effects of radiation or chemicals in the prosecution of employment duties. Acute toxicity is treated as an employment injury.

2. Pension, benefits and payments specified in this Law shall be provided to the insured persons suffering from an employment injury and acute toxicity occurred under the following circumstances:

- 1/ while discharging employment duties at work place or other places;
- 2/ before the commencement of the general working hours or after the general finishing time in the course of arranging the work place and equipment;
- 3/ travel to or from an insured person's place of work

3. An insured person shall be disqualified for pensions, benefits and payments under this Law, if it is proved that he suffers from an accident happened while he was doing work not connected with his employment duties or left his place of work during working hours, as well as consumed alcohol and drugs, or intentionally breached the labor safety instructions or injured himself while committing a crime.

4. The cases designated in Sections 2 and 3 of this Article shall be investigated and determined by the permanent commissions (non staff) appointed by the soum and district Governors. The Commission headed by the representative of a State Administrative Body shall consist of an equal number of representatives expressing interests of the insurer, insured and employer and of experts related to the nature of an injury.

5. Regulations on the Commission mentioned in Section 4 of this Article shall be approved by the Government.

Article 3. Occupational Disease

1. "Occupational disease" is a disease caused by adverse effects of employment in the course of discharging duties by an insured person.

2. The list of occupational diseases shall be approved by the State Central Administrative Body in charge of health matters.

Article 4. Benefits Provided By The Fund Of Insurance Against Employment Injury And Occupational Diseases

The following benefits shall be provided to the insured by the Fund of Social Insurance against Employment Injury and Occupational Diseases :

- 1/ disability pension;
- 2/ dependent's pension;
- 3/ temporary disability benefit;

Work schedule

FEBRUARY 2010

Sun	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

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4/ rehabilitation payments

CHAPTER TWO

Disability Pension

Article 5. Eligibility For Disability Pension

1. The insured person, who has lost his working capacity for a long duration or permanently due to an employment injury or occupational disease, shall be eligible for a disability pension.
2. The percentage and length of disablement of an insured person shall be determined by the Medical Labor Accreditation Commission.

Article 6. Rate Of Disability Pension

1. The rate of a disability pension shall be assessed from the insured person's wage, or similar earnings (further referred to as "wage") in proportion to the percentage of loss of capacity for work, 10% if the loss of capacity for work is up to 10 per cent and an appropriate percentage on each case over 10 per cent.
2. The disability pension of an insured person who has lost his capacity for work over 30% and more shall not be less than the seventy five per cent of the monthly national minimum wage determined by the Government.

Article 7. Length Of Disability Pension

Disability pensions under this Law shall be payable for the periods of time specified in Article 10 of the Law on Pensions & Benefits Provided by the Social Insurance Fund.

Article 8. Payment Of Disability Pension

1. Disability pensions are paid monthly by the Social Insurance Organization through a bank providing services.
2. If the insured person, who has lost his capacity for work up to 30 per cent, permanently or for a lengthy period, his pensions can be paid as lump sum grant on request in proportion to 6 months, or for the length of period certified by the Medical Labor Accreditation Commission respectively. In this case his monthly pension shall cease by reason of the lump sum payment.

Article 9. Disability Restoration And Pension Repayment

1. Disability pensions for the period not exceeding six months shall be repaid to the insured person on restoration of his disability, who failed to get it determined by the Medical Labor Accreditation Commission due to justifiable reasons.
2. Pensions for the given period of time shall be fully repaid to the insured person, where his capacity for work is determined as non rehabilitated.

CHAPTER THREE

Dependent's Pension

Article 10. Eligibility For Dependent's Pension

1. The family dependent members of an insured person, who dies as the result of an employment injury or occupational disease, shall be eligible for a dependent's pension.
2. The family dependents eligible for a pension shall be determined in compliance with Article 12 of the Law on Pensions & Benefits Provided by the Social Insurance Fund.

Article 11. Rate Of Dependent's Pension

The dependent's pension shall be assessed at the following percentages of the wage of the deceased:

- 1/ 100 per cent for three or more dependents;
- 2/ 75 per cent for two dependents
- 3/ 50 per cent for one dependent

Article 12. Duration Of Dependent's Pension

The dependent's pension under this Law shall be payable for the periods of time specified in Article 15 of the Law on Pensions & Benefits Provided by the Social Insurance Fund.

CHAPTER FOUR**Temporary Disability Benefit****Article 13. Eligibility For Temporary Disability Benefit**

The insured person, who has lost his capacity for work due to temporary disablement caused by an employment injury or occupational disease, shall be eligible for a temporary disability benefit.

Article 14. Rate Of Temporary Disability Benefit

1. The rate of a temporary disability benefit provided to the insured person who has lost his capacity for work due to temporary disablement caused by an employment injury or occupational disease shall be of 100 per cent of the wage, regardless of the length of insurable service.
2. Temporary disability benefit shall be granted for each day of incapacity for work.

Article 15. Length Of Temporary Disability Benefit

1. The temporary disability benefit shall be payable from the day of loss of capacity for work until the incapacity is rehabilitated, or eligibility for a disability pension is obtained.
2. The maximum length of a temporary disability benefit shall not exceed 180 days out of consecutive twelve months.
3. The length of a temporary disablement shall be determined by the Medical Care Quality Control Commission of a specialized medical institution, in the absence of such a commission by the chief physician, manager or physician.

CHAPTER FIVE**Rehabilitation Payments****Article 16. Eligibility For Rehabilitation Payment**

The insured person who has lost 30 per cent and more of his capacity for work due to an employment injury or occupational disease shall be eligible for a rehabilitation payment provided from the Fund of Social Insurance against Employment Injury and Occupational Diseases for the purposes of prosthetic appliances & orthopedics, and mineral water therapy in sanatorium.

Article 17. Rehabilitation Payment And Its Granting

1. The expenses of prosthetic appliances made in Mongolia and orthopedics shall be reimbursed in 100 per cent for the first time, and 50 per cent for the second time.
2. The expenses shall be met once, if there is an inevitable requirement for orthopedics (prosthetics & orthopedics) abroad according to the conclusion of a professional medical institution.

professional medical institutions.

3. The expenses can be met once a year by the Fund of Social Insurance against Employment Injury & Occupational Diseases, if the insured person receives treatment in sanatorium because of an employment injury or occupational disease.

CHAPTER SIX

Other Provisions

Article 18. Documents Required For Benefits Provided By The Fund Of Social Insurance Against Employment Injury And Occupational Diseases

For the purpose of benefit entitlements it is required to compile the documents designated in Article 25 of the Law on Pensions & Benefits Provided by the Social Insurance Fund, and the ascertaining document of an employment injury or certificate of an occupational disease.

Article 19. Discount For Contribution Dues

1. The contribution dues of an employer for the following year shall be granted 10 per cent discount, where no payment was made out of the Fund of Social Insurance against Employment Injury and Occupational Diseases for a period of consecutive 5 years owing to the employer's concrete actions taken to reduce the incidence of occupational accidents and improve working conditions.

2. There shall be further 10 per cent discount on each occasion of continuous satisfaction of the conditions stated in Section 1 of this Article, but the maximum shall not exceed 50 per cent of the annual contribution dues.

Article 20. Regulations On Other Relations Respecting Benefits Provided By The Fund Of Social Insurance Against Employment Injury And Occupational Diseases

Other relations excluded in this Law respecting payment of benefits provided by the Fund of Social Insurance against Employment Injury and Occupational Diseases shall be regulated by the relevant provisions of the Law on Pensions & Benefits Provided by the Social Insurance Fund.

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