The Some Challenging Issues in Immovable Property Law of Mongolia

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蒙古的不动产法中存在着一些挑战性的问题。尽管蒙古的不动产法在一般理解中被认为是一个重要而困难的问题，但是，蒙古的不动产法和德国的不动产法、不动产抵押法和民法中的财产权制度等，以及不动产登记制度在公证书参与等方面是不同的。本文将强调这些问题，并可能提出解决办法。

[주제어] 壤地、 babe、不bing、不动产、不动产抵押、不动产登记
I. Historical Overview

Immovable property law is a sub-branch of civil law, in particular, property law. The first of all, the paper summarizes its developments in legal system of Mongolia. In 1992, the first democratic Constitution was adopted in Mongolia. After that, projects for privatizing state properties were commenced, and the Law on Privatization of Apartments was enacted in 1996.1) As a result of free privatization of the State Apartment Funds to its resident people, buildings or constructions on land was started to circulate in the market for the first time. Furthermore, the Law on Registration of Immovable Property and the Law on Notary were adopted in 1997.2)

Historically, any building which are registered separately from the land, was started to circulated in the market process (before starting to circulate the land in market) and it was disposed (sold, purchased and pledged) by citizens. Until now, the land is not the basic concept of immovable property law in our legal system. Thus, the land cannot be understood as the main object of private law in Mongolia. This argument is discussed in some of provisions in the revised Civil Code.

In this regard, the revised Civil Code was adopted in 2002. It contains the following provisions:

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