

Regulation Governing Venues for Religious Activities

Decree No. 145 of the State Council of the PRC signed by Premier Li Peng, 31 January 1994

Article 1. In order to protect normal religious activities, safeguard the legal rights of venues for religious activities and facilitate the management of venues for religious activities, the following regulations have been formulated in conformity with the Constitution.

Article 2. For the purposes of this regulation, "venues for religious activities" refers to monasteries, temples, mosques, churches and other fixed venues. Registration is required for the establishment of a venue for religious activities. The registration procedure will be decided by the Religious Affairs Bureau of the State Council.

Article 3. The management of venues for religious activities will be undertaken by the venue's own management team. Its legal rights and the normal religious activities which take place there will be under the protection of law and no organization or person will be permitted to transgress or interfere.

Article 4. Venues for religious activities should set up a management system. Religious activities undertaken in these venues should comply with the laws and regulations. No person shall be permitted to make use of any such venue to undertake activities which harm national unity, ethnic unity, or the social order, harm citizens' health or obstruct the national educational system. Venues for religious activities shall not be controlled by persons or organizations outside China.

Article 5. Persons normally resident in venues for religious activities or those temporarily resident must comply with State regulations on household registration.

Article 6. Venues for religious activities may accept from their adherents voluntary offerings of alms, donations, and contributions.

In accepting donations from persons and organizations outside China, venues for religious activities shall act in accordance with relevant regulations.

Article 7. Within their premises, venues for religious activities may, complying with relevant State regulations, offer for sale religious articles, artworks and publications.

Article 8. The property and income of a religious venue shall be subject to management and use by the venue's management team and shall not be held or gratuitously transferred to any other unit or person.

Article 9. The closing or merger of religious venues should be recorded with the registration organization and its property dealt with according to the relevant State regulations.

Article 10. The land, mountains, forests or buildings administered by a religious venue should be documented in compliance with relevant State regulations by the management team of the venue or the religious body to which it is subject.

The State may requisition land, mountain and forest land, buildings and so on managed and used by a religious venue in compliance with the "PRC Property Administration Law" and other relevant State regulations.

Article 11. Relevant units or persons who, within the premises of a venue administered by a religious venue, build or renovate buildings, set up commercial or social service enterprises or hold a display or exhibition or make films or television programs, etc., are required to secure the permission of the management team of the religious venue in question and that of the Religious Affairs Bureau of the People's Government at or above county level before applying to the departments concerned.

Article 12. Religious venues which have been listed as protected cultural relics or which are located in scenic areas must comply with the stipulations of relevant laws and regulations on administering and protecting cultural relics and the environment and must accept the guidance and supervision of departments concerned.

Article 13. The Religious Affairs Bureau of the People's Government at or above the county level shall undertake guidance and supervision in the administration of these regulations.

Article 14. If a religious venue violates the stipulations of this regulation, the Religious Affairs Bureau of the People's Government at or above county level may apply penalties according to the seriousness of the case, issue a warning, halt activities, or rescind registration. If the case is especially serious, it may be submitted to the corresponding level of the People's Government, which may ban the venue.

Article 15. If violation of the stipulations of this regulation constitute an act in violation of public security, the public security organs shall mete out penalties in accordance with the relevant regulations of the "PRC Public Security Administration Penal Code"; if the violation constitutes a criminal act, the judiciary shall undertake an investigation to determine criminal responsibility.

Article 16. If the parties concerned decide not to comply with administrative methods (of dealing with the case), they may, in compliance with relevant laws and regulations, apply for administrative reconsideration or institute administrative litigation.

Article 17. If a violation of these regulations involves infringement of the legal rights of a religious venue then the Religious Affairs Bureau of the People's Government at the country level or above will ask the People's Government at the corresponding level to put a halt to this infringement of rights; if the violation constitutes an economic loss, the losses should be made good in compliance with the law.

Article 18. The People's Government at the provincial, autonomous region and municipality level may, in compliance with this regulation, formulate practical measures on the basis of local realities.

Article 19. Interpretation of this regulation lies with the Religious Affairs Bureau of the State Council.

Article 20. This article takes effect on the date of issue.

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