

PROVISIONAL REGULATIONS GOVERNING PLACES FOR RELIGIOUS ACTIVITIES IN KUNMING

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NOTICE ON PUBLISHING THE KUNMING GOVERNMENT'S DOCUMENT:

Provisional Regulations Governing Places for Religious Activities in Kunming

To: County and (District) Governments, all executive agencies on the city and national level and all committee officers.

The Religious Affairs Bureau in Kunming has formulated "Provisional Regulations Governing Places for Religious Activities in Kunming". They did this after they had made a serious investigation and study of the matter and had consulted all the pertinent departments and organizations for their opinions. The principle was that they were to be thoroughly discussed and approved by the Party Standing Committee of Kunming. Once this approval was had, they were sent out for printing and distribution. The purpose of these regulations is to implement thoroughly the party's policy on religion in accord with the law and the Constitutions, to protect normal religious faith and activities, to suppress all illegal activities and to tighten control over places for religious worship.

All sections of the Religious Affairs Bureau must closely supervise the implementation of these regulations and see that they are fully carried out. If any problems arise the Religious Affairs Bureau should be informed.

The Kunming City Government

March 16, 1990.

Chapter I General Principles

Item 1. In order to protect citizens' freedom of religious belief and normal religious activity and to strengthen supervision over religious activities, and based on the "Constitution of the People's Republic of China" and other related laws and policies, and

integrated with the actual situation in our city, these provisional regulations have been drafted.

Item 2. All citizens have freedom of religious belief. No one should coerce citizens either to believe or not to believe in religion. Nor should anyone discriminate against citizens who believe in religion or against those who do not believe.

Item 3. No one should use religion to oppose the leadership of the Communist Party or the socialist system. No one should use religion to destroy national or ethnic unity. Nor should religion interfere in government, the law courts, education, marriage, birth control or other social enterprises.

No foreign influences should have any control over religious organizations or affairs.

Item 4. All sections of the Religious Affairs Bureau should exercise administrative authority over places for religious activities.

Chapter II Places for Religious Activities

Item 5. By places for religious activities are meant: Buddhist temples, Buddhist retreats for lay persons, Taoist temples, Moslem mosques, and Catholic and Protestant churches, including the areas enclosed by these places. Simple structures used for religious activities are also included here.

Item 6. Permission must be obtained from government entities (above the county or district level) in order to establish places for religious activities. These places must also be registered with the Religious Affairs Bureau on the similar government level. No individual or organization should establish or repair places for religious activities without this permission and registration. Once this has been done these places enjoy the protection of the law.

Those places which were established before the present regulations were promulgated must get permission and register in accordance with these regulations. They will not enjoy the protection of the law if they do not obtain permission and register before the period of time set for registration expires.

Item 7. Those places for religious activities, which have duly received permission to exist, must be under the administrative authority of the local Religious Affairs Bureau. The Patriotic Association and professional religious personnel should be responsible for their regulation. Those agencies in charge should act according to democratic principles.

Item 8. The responsibilities of these agencies which exercise democratic control over places for religious activities are as follows:

- (1) teach their members to be patriotic and love their church, support the leaders of the Chinese Communist Party and the socialist system, safeguard national unity, promote ethnic solidarity, respect the rights of citizens to believe in religion as well as not to believe in it, and to live in harmony with believers of different religions or sects;
- (2) organize those normal religious activities permitted by the nation's Constitutions, law and policies;
- (3) maintain the principle of independent, autonomous self rule over the church and implement self propagation, self government and self support;
- (4) relying on one's own resources operate social projects of benefit to society;
- (5) manage the accounts of places for religious activities; these accounts must be made public at stated times for public inspection;
- (6) be responsible for public safety, the terrain and fire prevention at places for religious activities; preserve historical relics, buildings and installations, famous old trees, and properties from damage.

Item 9. Members of those bodies who manage places for religious activities in a democratic way should support the Communist Party and the socialist system. They should be patriotic and law abiding, upright in character, just in their dealings, and have a sufficient level of religious knowledge and managerial ability. They should enjoy a good reputation among their religious adherents and be permanent residents of the area.

Item 10. Places for religious activities should carefully observe "The Law for Preservation of Cultural Relics", the "Law for Environmental Planning" and other pertinent laws and regulations. Permission must be obtained from those government entities (above the county or district level) in order to maintain, rebuild or enlarge temples or churches. They must also make a report to the pertinent department on the capital outlay needed for these works in order to get a permit to proceed.

No unit or individual may presume to occupy or damage those places for religious activities which have permission to exist.

Item 11. Permission must be had from the city's Religious Affairs Bureau in order to

make movies, television programs and video tapes on the premises of temples or churches. If these places fall under the jurisdiction of the department for the preservation of cultural relics, then its permission must also be obtained.

Item 12. Those places for religious activities which have been examined and approved for operating commercial or industrial enterprises can publish and sell religious books and tapes which have passed the censors as well as other religious articles and religious art. They can also run small stalls offering food and drink as a social service. They can also operate farms and engage in forestry and tend herds as a side occupation.

No unit or individual can set up stalls or operate other businesses on the premises of temples or churches. Permission must first be obtained from the authorities of these temples and churches as well as the Religious Affairs Bureau.

Item 13. Places for religious activities can receive voluntary donations, subsidies and offerings from believers. But professional religious personnel and believers should not solicit contributions from the public.

Non religious organizations and individuals should not make use of places for religious worship and religious organizations to solicit contributions from the public.

Item 14. Places for religious activities within our country can, according to religious custom, receive voluntary donations, subsidies and offerings from religious compatriots from Hong Kong, Macau, Taiwan, as well as from overseas Chinese, Chinese with foreign citizenship, and other foreigners.

In order to receive contributions offered by religious organizations from Hong Kong, Macau, Taiwan and other foreign religious organizations, places for religious activities must get the approval of the Religious Affairs Bureau (above the county and district government level).

Chapter III Religious Personnel

Item 15. By religious personnel is meant the following: Buddhist monks and nuns, Taoist priests and nuns, Muslim imams, Catholic bishops, priests and nuns, Protestant ministers, catechists and those others who take religion as their profession and who have been approved by the Patriotic Association (above the county or district level) as well as have been recorded in the files of the Religious Affairs Bureau.

Item 16. Religious professionals on the whole must be chosen from believers with residence permits from the local district. They must be accepted into the ranks of these

professional religious personnel in accordance with Church regulations and be approved by the Patriotic Association (above the county and district level). They must also register with the appropriate Religious Affairs Bureau at the county or district level. Only after fulfilling these regulations can they officiate at religious functions and hold religious office. If under special circumstances there is need to receive an individual religious personnel with a residence permit from another district, then permission must be had from the Religious Affairs Bureau (above the county or district level).

Item 17. Permission must be obtained from the city's Religious Affairs Bureau for religious personnel to go outside the city to perform religious activities. Those who function in both the city and the county or district must have the agreement of the Religious Affairs Bureau of both places. If any religious personnel stay for a while at a temple or church, they must report in accordance with the pertinent regulations to the local security officials and present their residence permits for inspection.

Chapter IV Religious Activities

Item 18. All normal religious activities carried out in those places for religious activities which have obtained permission to exist enjoy the protection of law.

Item 19. Religious activities should not interfere with normal social activities, production, work, study or the daily order of life.

Item 20. No one should practice fortune telling, palm reading and other feudalistic superstitious practices in places for religious activities.

Item 21. Religious personnel can, with the permission of their superiors, according to their religious customs perform simple religious ceremonies for their adherents at graveyards, funeral parlors, hospitals and in the homes of believers.

Item 22. Apart from officially approved places for religious activities and those other areas designated in Item 21, no one is allowed to perform religious activities or propagate religion or hand out religious tracts in public places.

Item 23. Only officially approved and registered religious professional personnel can perform religious activities and carry out religious duties in places approved for religious activities. If religious professionals come from other places to officiate at religious activities, to preach or explain Scriptures, they must first report to the Religious Affairs Bureau (above the county or district government level). Those who are not professional religious personnel should not exercise religious activities.

Item 24. Permission for operating seminaries to train religious personnel must be had from the Religious Affairs Bureau (above the county or district government level). They must be operated under the unified direction of the Patriotic Association (above the county or district level). Moslem mosques are allowed to operate these seminaries in accordance with the conditions obtaining in each mosque. They must have the approval of the Religious Affairs Bureau in order to recruit a definite number of "aspirants".

Item 25. Those religious personnel who have obtained the approval of and been sent out by the Patriotic Association can exercise religious functions and authority in those places for religious activities which have been approved and which belong to their jurisdiction.

Item 26. Permission must be had from the Religious Affairs Bureau (above city government level) in order to print and publish religious books and video tapes. All the regulations regarding publishing must also be observed.

Item 27. Compatriots from Hong Kong, Macau, Taiwan and overseas Chinese, Chinese with foreign citizenship as well as foreign believers can go to officially approved places for religious activities, temples and churches, to take part in religious activities. They must however observe the Constitutions, laws, these provisional regulations as well as those regulations which each place for religious activities has ordained. They should not on their own preach religion or pass out religious tracts.

Chapter V Supplementary Articles

Item 28. The Religious Affairs Bureau should see to the criticism and education of any who break these regulations in small matters. Those who transgress the "penal regulations of the Public Security" should be dealt with by the Public Security in accord with these regulations. Those who violate criminal law should be dealt with by the judicial agencies in accordance with the law.

Item 29. The Religious Affairs Bureau of Kunming is responsible for the official interpretation of these regulations.

Item 30. These regulations take effect from the day of promulgation.