

Documentation***Decree of the State Council of the
People's Republic of China***

No. 145

Translated by Peter Barry, M.M.

Herewith are issued *Regulations Regarding the Management of Places of Religious Activity*. They take effect on the date on which they are issued.

(signed) Prime Minister Li Peng
January 31, 1994

1. In order to protect normal religious activity and to safeguard the legal rights of places of religious activity, it is beneficial, in accordance with the Constitution, to draw up these regulations regarding the management of places of religious activity.

2. The places of religious activity referred to in these regulations are temples, mosques, churches and other fixed venues where religious activities are held.

To set up a place of religious activity, one must go through the process of registration. The method of registration is determined by the Religious Affairs organs of the State Council.

3. Management of a place for religious activity is in the hands of the management committee of that place. The legal rights and the normal religious activities of that place are protected by the law. No other organization or individual may encroach upon or interfere with it.

4. The place for religious activity should set up a management system. When carrying out religious activities, the place for religious activity should obey the law and observe the perti-

ment regulations. No person may use places for religious activity to engage in activities which destroy the unity of the nation, unity among the ethnic minorities, and social stability, nor which cause physical harm to citizens or obstruct the national educational system.

Places of religious activity are not subject to domination by foreign organizations or individuals.

5. Permanent and temporary residents of places for religious activity should observe the national regulations regarding household registration.

6. Places for religious activity may accept the freewill donations, offerings and subsidies of the believing masses.

For places of religious activity to receive donations from foreign organizations or individuals, this must be carried out in accordance with the concerned national regulations.

7. In places for religious activity, the management committee, in accordance with national regulations, may sell religious articles, religious works of art and religious books.

8. The property and income of the place of religious activity is to be managed and used by the management committee of that place. No other unit or individual may possess it or gratuitously transfer it.

9. If a place of religious activity closes down or is joined with another one, this should be recorded in the original registration office. The properties should be handled in accordance with the concerned national regulations.

10. The management committee or a religious organization subordinate to it, in accordance with the concerned national regulations, should apply for a certificate to manage and use the lands, forests, hills and houses of the place for religious activity.

If the state requisitions the land, forests, hills or houses managed and used by the place for religious activity, this should be handled in accordance with *The Law Regarding the Supervision of Land of the People's Republic of China* and other pertinent national decrees.

11. If a concerned unit or individual wants to rebuild a house or to erect a new building, to establish a business or a social service center, to set up a display or exhibition, or to make a movie or a video in the area managed by the place of religious activity, they must first obtain the agreement of the management committee of the place for religious activity and of the Religious Affairs organs at the county level or above. Only then should they return to the concerned department to complete procedures.

12. The relics and surroundings of places for religious activity which are listed as historical relics or which are located in areas of scenic beauty must be managed and protected in accordance with the concerned laws and regulations. They are also subject to the guidance and supervision of the concerned departments.

13. Religious Affairs departments at the county level or above should give guidance and supervision regarding the implementation of these regulations.

14. If a place of religious activity violates these regulations, Religious Affairs departments at the county level or above, in accordance with the seriousness of the matter, can mete out such punishments as giving a warning, stopping the activity or canceling the registration. If the situation is especially serious, the case should be submitted to the comparable level of government to have the activity banned in accordance with the law.

15. If the violation of these regulations constitutes a breaking of the rules concerning public order, then Public Security departments can mete out punishment in accordance with *Regulations Regarding Punishment of Offenses Against the Public Order of the People's Republic of China*. If the violation constitutes a crime, then the judicial organs should investigate to find out who is responsible for the crime.

16. If the person involved does not accept the administrative decision, then in accordance with the concerned laws and regulations, he can apply for an administrative reversal of the decision

or initiate legal proceedings.

17. For anyone who violates these regulations or infringes upon the legal rights of a place of religious activity, the Religious Affairs departments at the county level or above should seek an order from the People's Government at the same level calling a halt to the infringement activity. If economic loss occurred, then compensation for the loss should be made in accordance with the law.

18. Based on these regulations the governments on the provincial, administrative region and municipal levels can integrate the actual situation of their areas to determine methods of implementation.

19. Responsibility for the interpretation of these regulations rests with the Religious Affairs Bureau of the State Council.

20. These regulations take effect on the date on which they are issued.

