

Regulations from the Jilin Province Religious Affairs Bureau

Translated by Norman Walling, S.J.

Excerpted from *The People's Daily*

(These regulations were approved by the Jilin Standing Committee of the People's Congress' 35th meeting on December 19, 1997 and take effect on May 1, 1998.)

Chapter 1 General Principles

Article 1 These regulations are formulated to safeguard citizens' freedom of religious belief, oversee the handling of religious affairs, uphold national unity, civic union and social stability under the Constitution of the People's Republic of China and pertinent government laws and regulations, and in accordance with the practical situations of the province.

Article 2 The term religion as used in these regulations refers to Buddhists, Daoists, Muslims, Catholics and Protestants.

Article 3 The term religious affairs as used in these regulations refers to all social and public affairs that concern religion and its relations with the country, society, and its citizens.

Article 4 Citizens have the freedom to believe or not to believe in religion. No organization or individual should coerce people to believe or not to believe in religion nor should any organization or individual discriminate against citizens who believe in religion or do not believe in religion.

All citizens should respect each other, regardless of religious faith or lack of it, and regardless of differing religious beliefs.

Article 5 Religious activities should be held according to the Constitution, laws, and regulations. They should not disturb social order or productivity, injure people's health or obstruct the educational system. No organization or individual should use religion to carry out activities that violate the Constitution, laws, or regulations.

The law protects the rights and normal religious activities of religious organizations, places for carrying out religious activities, religious personnel, and citizens who believe in religion.

Article 6 Religious organizations and all religious affairs must be independent, autonomous and self-administered, and be implemented under the principles of self-government, self-support and self-propagation without any foreign control.

Article 7 The provincial departments of the Religious Affairs Bureau above the level of the county government are the main executive bodies within the defined administrative region to oversee religious affairs.

The main executive bodies overseeing religious affairs on all levels are responsible for examining, directing, coordinating, and supervising the implementation of these regulations.

Article 8 All government agencies, enterprises, public services, social bodies, and individuals within the administrative region must observe and carry out these regulations.

Chapter 2 Religious organizations

Article 9 Religious organizations in these regulations refer to religious organizations such as the Buddhist Association, the Daoist Association, the Association of Muslims, the Catholic Patriotic Association and the Catholic Church Affairs Commission, the Protestant Three-self Patriotic Movement and the Protestant Affairs Committee that are officially set up and recognized as such at the provincial, city, and county levels.

Article 10 Religious organizations must apply for registration according to national laws governing social organizations. They can carry out religious activities only after they obtain permission from the official registrar. Those with jurisdictions are recognized as juridical persons.

Article 11 Religious organizations must accept government administrative control and assist the government in implementing and carrying out laws and regulations, and promote patriotism, socialism, and legal education among religious personnel and believers. Furthermore, they must carry out their activities according to their aims and regulations.

Article 12 Religious organizations that operate religious institutes on the provincial level must act according to pertinent national and provincial regulations.

Religious organizations that operate religious training programs on the city or county level must obtain permission from their religious body on the provincial level as well as register with the head department of the provincial Religious Affairs Bureau.

Article 13 Religious organizations can carry out cultural and academic studies and exchanges on religion.

Religious organizations that print, publish, or distribute religious publications, religious printed materials or audio-visual products must act according to pertinent national laws and regulations.

Article 14 Religious organizations or places for carrying out religious activities can operate enterprises and other activities for self-support according to pertinent national laws and regulations. They can also operate social welfare ventures.

Chapter 3 Religious personnel

Article 15 Religious personnel in these regulations refers to Buddhist monks and nuns, Daoist priests and nuns, Muslim imams and

teachers, Catholic bishops, priests, seminarians and Sisters, and Protestant pastors, elders and catechists.

Article 16 The religious identity of religious personnel in Jilin is certified by the religious authority on the provincial level according to established procedures. These personnel must be registered with the pertinent department of the provincial Religious Affairs Bureau.

Article 17 Those religious personnel who have been certified and registered can carry out religious activities as assigned by the pertinent religious organization on the provincial level in duly registered places for religious activities in accordance with their duty. Those religious personnel who have not been certified cannot use the identity of religious personnel to carry out religious activities.

Article 18 Religious personnel from Jilin who are invited to other provinces or religious personnel invited into the province to perform religious activities must first obtain permission from the religious organization on the provincial level as well as pertinent department of the province Religious Affairs Bureau.

Chapter 4 Places for religious activities

Article 19 Places for religious activities in these regulations refer to temples, monasteries, mosques, churches and other similar places set aside for religious activities.

Article 20 Construction of places for religious activities must meet the normal needs of religious believers and overall urban and township building ordinances.

Article 21 Places for religious activities must meet the following requirements:

- (1) A permanent location and title;
- (2) Believers who customarily take part in religious activities;
- (3) A management committee drawn from the religious organization;

- (4) Religious personnel in charge of religious activities or others who meet the religious regulations;
- (5) Management regulations;
- (6) Legitimate income.

Article 22 Places for religious activities must register according to pertinent government laws and regulations. They must also accept the supervision of the responsible department of the Religious Affairs Bureau.

These organizations will enjoy civil rights and responsibilities once set up as a legal entity.

Article 23 Religious organizations or the management committees of places for religious activities must apply to the responsible department of the Religious Affairs Bureau above the level of the county for approval to construct, enlarge, or change the location of temples, monasteries, mosques and churches. They must also apply to the responsible department of the Provincial Religious Affairs Bureau for further scrutiny and approval.

Procedures to terminate, modify, or change the registration of places for religious activities must be carried out at the place of original registration. Abrogating or merging properties that belong to these places must be dealt with according to pertinent laws and regulations.

Article 24 Places for religious activities can receive voluntary donations, alms, offerings, and other contributions (including bequests) from individuals and organizations.

Accepting contributions from foreign organizations or individuals must conform to pertinent government regulations.

Article 25 Places for religious activities listed as cultural relics or located in famous scenic areas must be protected according to pertinent government laws and regulations. The appropriate government departments should also direct and supervise these efforts.

Article 26 Management committees of places for religious activities can sell on site religious articles, publications, and videos.

Article 27 No unit or individual should set up businesses, service networks, or organize exhibits or displays inside places for religious activities without the approval of the management committee of those places and the pertinent department of the Religious Affairs Bureau.

Article 28 Those wishing to film movies or television programs in places for religious activities must have the approval of the management committee of those places as well as pertinent government departments.

Article 29 Places not set aside for religious activities and non-religious bodies cannot establish temples, monasteries, build religious structures or perform religious activities. They cannot accept donations, alms, offerings, or other contributions of a religious nature either openly or overtly.

Article 30 No organization or individual can propagate religions different from their own or incite religious disputes in places for religious activities. Those who enter places for religious activities must respect the religious customs and observe regulations set up there.

Chapter 5 Religious activities

Article 31 Religious activities are those performed by believers in officially registered places for religious activities according to each group's respective teaching, regulations, and customs. They are: worshipping Buddha, chanting prayers, penitential rites, ceremonial prayers, Daoist ordination, prayers, attending church services, fasting, explaining scriptures, preaching, baptisms, Masses, anointings, requiem services, marriage ceremonies and keeping religious festivals.

Article 32 Religious activities at gatherings of religious believers must be presided over by official religious personnel.

Article 33 No religious organization or individual can preach or propagate religion outside of places for religious activities.

Chapter 6 Religious property

Article 34 Religious property refers to buildings, various installations, income, and affiliated enterprises and businesses as well as all other properties and income that religious organizations or officially registered places for religious activities legally enjoy.

Article 35 Properties and lands owned or managed by religious organizations and officially registered places for religious activities must apply for registration at pertinent government departments according to government laws and regulations. They must also be registered at the pertinent department of the Religious Affairs Bureau.

Article 36 No organization or individual can seize properties owned, managed, or used by religious organizations and officially registered places for religious activities.

Article 37 Places for religious activities and religious structures that come under the department for protecting cultural relics, the department for protecting modern buildings of outstanding architectural design, or the department for protecting important religious sites above the provincial level, must be clearly delimited in any urban planning. These places cannot be modified without the approval of the pertinent government departments.

Article 38 If urban development requires the requisition of religious property or places for religious activities, approval must first be obtained from the religious organization, the place for religious activities, and the responsible department of the Religious Affairs Bureau. Suitable compensation and appropriate arrangements must also be carried out.

Article 39 If land owned or managed by a religious organization or place for religious activities is requisitioned for other purposes, pertinent government laws and regulations must be carried out.

Article 40 Buildings belonging to religious organizations or places for religious activities can be rented and sold according to pertinent government laws and regulations.

Chapter 7 Foreign religious affairs

Article 41 Religious organizations and religious personnel can develop friendly relations and cultural and academic exchanges with foreign religious bodies.

These friendship and exchanges activities must be based on the principles of autonomy, mutual respect, non-interference and equality.

Article 42 Religious organizations or religious personnel who are invited abroad for religious purposes or who invite foreign religious organizations or personnel to visit China must act according to pertinent government regulations.

Article 43 Foreigners' freedom of religious belief will be respected and their friendly relations with local religious personnel will be protected in their religious, cultural, and academic exchanges.

Places for religious activities in Jilin Province can invite foreigners to take part in religious activities. They can permit them, with the approval of the responsible department of the Religious Affairs Bureau, to perform Daoist and Buddhist rites, baptize, preside at marriages and funerals, and to perform other religious rites.

Article 44 Foreigners who enter China can bring in with them a small number of religious articles for their own personal use according to pertinent government laws and regulations.

Article 45 Foreigners in Jilin are not allowed to preach, propagate religion, or hand out religious tracts. They are not allowed to look for

converts, appoint religious personnel, set up religious organizations or offices, open places for religious activities or religious institutes, or carry out training courses.

Article 46 No unit or individual can accept subsidies from foreign religious organizations for religious purposes. They cannot accept religious conditions that are attached to economic, educational, hygienic, sports, or science and technology exchanges with foreigners.

Chapter 8 Legal responsibilities

Article 47 The responsible department of the Religious Affairs Bureau above the level of province should order whoever operates a business, service network, or sets up displays or exhibitions, or films movies or television programs in a place for religious activities without proper permission to cease and desist.

Article 48 The responsible department of the Religious Affairs Bureau and other pertinent government departments must penalize according to pertinent government laws and regulations those who print, publish, or distribute religious publications, printed materials, and videos without proper authorization.

Article 49 For any of the following activities, the responsible department of the Religious Affairs Bureau above the level of the county must order those responsible for encroaching on the rights of others to cease and desist, reimburse losses, and be liable for a possible fine of not less than 500 RMB nor more than 5000 RMB:

- (1) Infringing upon anyone's right to freedom of religious belief;
- (2) Interfering with normal operations held in places for religious activities;
- (3) Preventing religious personnel from carrying out normal religious activities;
- (4) Inciting religious disputes;
- (5) Damaging religious properties at places for religious activities.

Article 50 For any of the following activities, the responsible department of the Religious Affairs Bureau above the level of the county must order the offender to cease and desist, confiscate the offender's earnings, with a possible fine of not less than 1000 RMB nor more than 10,000 RMB:

- (1) Preaching or propagating religions outside of places for religious activities;
- (2) Acting as religious personnel at religious activities without proper recognition and registration;
- (3) Inviting religious personnel from outside the province to preside over religious activities without proper authorization;
- (4) Altering, counterfeiting, or transferring to others credentials and official documents that belong to places for religious activities or religious personnel;
- (5) Accepting subsidies from foreign religious organizations and individuals for religious purposes;
- (6) Accepting contributions from foreign religious organizations or individuals against regulations;
- (7) Setting up religious organizations without authorization;
- (8) Opening religious institutes or organizing training courses without authorization;
- (9) Accepting conditions connected with foreign exchanges and contacts;
- (10) Accepting openly or covertly donations, alms, offerings, and other contributions of a religious nature without being a religious organization or place for religious activities;
- (11) Defrauding or harming the health of others under the name of religion.

Article 51 For building, enlarging, or modifying temples, monasteries, mosques, churches and other religious structures without authorization from the responsible department of the Religious Affairs Bureau, the Bureau should order that such structures to be torn down or used for other purposes and a fine imposed totaling not less than 5000 RMB nor more than 10,000RMB.

Article 52 The local or a higher unit should order government officials working in the Religious Affairs Bureau who violate any of these regulations to amend their ways or be given an executive penalty.

Article 53 Violators of these regulations and those who disturb public order should be punished by the Public Security Bureau according to pertinent regulations found in the “Public Security Laws of the People’s Republic of China.” If crimes are committed, the courts shall investigate to fix criminal responsibility.

Article 54 Foreigners who violate these regulations by carrying out religious activities should be warned to cease and desist by the responsible department of Religious Affairs Bureau above the level of the county and by other pertinent departments. Foreigners who transgress regulations governing the presence of foreigners in China or the regulations on public security should be punished by the Public Security Bureau according to law. If crimes are committed the courts shall investigate to fix criminal responsibility.

Article 55 Executive departments that pass decisions on legal penalties must issue the complete document on the decision made and the penalties imposed.

Upon payment of a fine, the Finance Department will issue an official receipt. The sum is then transmitted to the treasury.

Article 56 The litigant can petition an executive reconsideration of his/her fine if he is dissatisfied or take the case to court.

In case the litigant takes neither of these actions nor pays the fine within the set time, the department that imposes the fine can then take legal measure to enforce compliance.

Chapter 9 Supplement

Article 57 These regulations also apply to persons from the Hong Kong Special Region Administration Macao, and Taiwan who perform religious activities in China.

Article 58 The Standing Committee of the Provincial People's Congress has the authority to interpret these regulations.

Article 59 The provincial government can decide to add further amendments to these regulations.

Article 60 These regulations take effect from May 1, 1998.