

Decree No. 92/2012/ND-CP of the Government: Specific provisions and measures for the implementation of the Ordinance on Belief and religion

GOVERNMENT

No: 92 / 2012/ND-CP

SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

Hanoi, November 8, 2012

DECREE

Detailed regulations and enforcement measures
Ordinance on Belief and religion

Pursuant to the Law on Organization of the Government dated 25 December 12, 2001;

Pursuant to the Ordinance on Belief and religion June 18, 2004;

At the request of the Minister of the Interior,

Government issued Decree detailing and implementation of the Ordinance on measures of belief and religion.

Chapter I

GENERAL PROVISIONS

Article 1. Scope of regulation and subjects of application

This Decree provides for religious activities; organizational religion; religious activities of believers, clergy, dignitaries and religious organizations; responsibilities of state agencies in the management of activities belief and religion.

Article 2. Freedom of belief and religion of citizens

State Socialist Republic of Vietnam to respect and ensure the right to freedom of belief, religion, or not practice a religion of the people, no one can violate freedom of it.

Prohibits coercing citizens-believers, apostates or abuse the freedom of belief and religion to destroy the peace, independence, unification; incite violence or war propaganda, propaganda left with the laws and policies of the State; divided people, divided ethnic and religious division; cause public disorder, harm to life, health, dignity, honor and property of others, to obstruct the implementation of the rights and obligations of citizens; superstitious activities and perform other legal violations.

All organizations and individuals who violate the law on religious belief be dealt with according to law.

Chapter II

Religious activities

Article 3. Religious activities at the basis of belief

1. Residential community where religious establishments vote, appoint a representative or religious base management community.

Representatives or members of religious facilities management Vietnamese citizens, have full civil act capacity, have credibility in the community and strictly abide by the law.

The management representatives or religious basis shall be notified in writing, clearly stating your full name, age, place of residence of the person elected, appointed to the People's Committees of communes, wards, (hereinafter referred to as the commune-level People's Committees) within 03 working days from the date of the election results, election.

2. Prior to October 15 each year, or the management representative religious establishment shall send to the commune-level People's Committee notices scheduled religious activities take place next year at the facility. Contents of notice stating the name of the religion, the organizations hosted activities; expected number of *participants*, content, forms of life, the time of the religious activities.

After 10 working days from the date the notice is valid, if the commune-level People's Committees have no other comments, the religious establishment is operating under the message contents, except as provided in Paragraph 5 Article 4 of this Decree.

3. Representative or religious facility management is responsible before the law for religious activities take place at the facility.

Who participate in religious activities in religious institutions shall make civilized life, obey the law and regulations of the religious establishment.

4. For the basis of belief is from the road, the church they do not apply the provisions of paragraphs 1 and 2 of this Article.

What 4. Festival beliefs and the organization of the festival

1. Religious festival is a form of organized religious activities, can worship, commemorate and honor those who have contributed to the

country, the community, ancestor worship, traditional symbols and other folk religious activities represent good value on the history, culture, and social ethics.

2. The following religious festival when the organization must be approved by the People's Committees of provinces and cities directly under the Central Government (hereinafter referred to as provincial-level People's Committees) where the festival:

- a) religious festival was held for the first time;
- b) The religious festival is restored after interruption time;
- c) religious festival is held periodically, but may change the content, timing, location than before.

3. For the festival prescribed in Clause 2 of this Article, the representative shall send the dossier to the provincial-level People's Committees.

Comprising:

a) A written request for the organization of the festival, clearly stating the name of the festival, the historical origins of the festival, scope, time, location, program, festival content. For religious festivals are specified at Point c, Clause 2 of this Article, the content written request does not back the historical origins of the festival;

b) List of the festival organization.

4. Within 20 working days after receiving a valid dossier, the provincial-level People's Committees shall have to answer in writing; case of disapproval must state the reason.

5. For religious ceremonies other than those specified in paragraph 2 of this Article, before 15 working organization, the organization shall notify in writing to the commune-level People's Committees of the time, place, the content and form of festival and festival organization committee list. In case of natural disasters, epidemics or security, public order and the organization of the festival can negatively impact local social life, the commune-level People's Committee decided to organize the festival.

Chapter III

RELIGIOUS ORGANIZATIONS

Section 1

REGISTRATION religious activities;

REGISTRATION, RECOGNITION OF RELIGIOUS ORGANIZATIONS

Article 5. Registered religious activities

1. Citizen focus needs to practice the rites of worship, prayer, expressing religious faith that I believe in, the representative submitted registration dossiers religious activities to the commune-level People's Committees .

2. Registration records, time replied:

a) A written registration of religious activity, clearly stating the name of religion, principles and purposes, they and the representative's name, place of residence, contents, forms of activity, location, time time, the number of people living at the time of registration;

b) Within 15 working days after receiving complete and valid dossiers, the commune-level People's Committees shall have to answer in writing; case of disapproval must state the reason.

3. Conditions for approval of religious activities:

a) guiding principles, objectives, content, activities do not violate the provisions of paragraph 2 of Article 8 and Article 15 of the Ordinance on Belief and religion;

b) There are legitimate places for religious activities;

c) The representative must be a citizen of Vietnam, have full civil act capacity, strictly abiding by the law, solidarity and national harmony.

Article 6. Registration of religious activities

1. To be granted registration of religious organizations must meet the following conditions:

a) A religious activities consistent for twenty years or more from the date of the commune-level People's Committee approved religious activities, does not violate the provisions of paragraph 2 of Article 8 and Article 15 of the Ordinance on Belief and religion;

b) an organization of people with similar beliefs; doctrine, canon law, ritual, practice and work direction to stick with people, not contrary to the traditions, customs and rules of law ;

c) No religious organization was competent State agencies recognized;

d) The name of the organization is not identical to the name of the religious organization was competent state agencies to recognize or name the celebrity, a national hero;

e) There are legitimate places for religious activities;

e) There is a national representative of the Philippines, have full civil act capacity, reputable organizations and strictly abide by the law.

2. Organizations if they meet the conditions specified in paragraph 1 of this Article, if they wish to register for religious activities, shall submit registration dossiers to competent state agencies specified in Clause 3 of this Article.

Comprising:

- a) A written registration of religious activity, clearly stating the name of religion, organization name, full name of the representative organization, place of residence and origin of formation and development process in Vietnam, religious and objectives, organizational structure, scope of operations, the proposed location of the head office;
- b) doctrine, canon law, ritual;
- c) A tentative list of the representative organization People's Committee of the commune where legal residency certification;
- d) The number of followers.

3. Competent to grant registration and answer period:

- a) Within 45 working days from the date of receipt of valid dossiers, the state management of religion in the Central Government shall be responsible for granting registration for organizations operating range in many provinces municipalities directly under the Central Government; case of refusal to grant registration to reply in writing, clearly stating the reasons therefor;
- b) Within 30 working days from the date of receipt of valid dossiers, the State management agency religion provincial responsible for organizing registration scope of work mainly in one province, cities directly under the Central Government; case of refusal to grant registration to reply in writing, clearly stating the reason.

Article 7. Religious activities of the organization after they are registered

1. Organization registered religious activities are:

- a) Organization of the religious ceremony, conducted ceremonies, preachers, preaching at the location registered religious activities;
- b) Organization of the Congress through its charter, charter and other relevant content before requesting agency recognized by the competent State;
- c) Election of, failure to appoint the leaders of the organization, organizing training doctrine;
- d) Repair, renovation and upgrading works of religious institutions;
- e) The charitable activities.

2. When performing religious activities specified in paragraph 1 of this Article, the organization must comply with the provisions of this Decree and other relevant legal documents.

Article 8. Recognizing religious organizations

1. After a period of 03 years from the date of registration of religious activities, religious organizations operate continuously, not in violation of the provisions of this Decree and to meet the conditions specified in paragraph 1 of Article 16 Ordinance on Belief and religion is entitled to request the competent State agencies recognized religious organizations.

2. Organization shall send their dossiers to competent state agencies specified in Clause 2, Article 16 of the Ordinance of belief and religion.

Comprising:

- a) A written request for recognition of religious organizations, which clearly state the name of religion, for recognition of organizations, international trading name (if any), the full name of the representative organizations, the number of believers, the scope of activities of the organization at the time of the proposal, organizational structure, based office of the organization;
- b) A report summarizing the activities of the organization since it was granted registration of religious activities;
- c) doctrine, canon law, ritual;
- d) of the Charter, the charter of the organization.

3. Recognized competence and answer period:

- a) Within 45 working days from the date of receipt of valid dossiers, the Prime Minister for consideration and recognition of religious organizations specified at Point a, Clause 2, Article 16 of the Ordinance, creed, religion; absence recognition must reply in writing, clearly stating the reasons therefor;
- b) Within 30 working days after receiving a valid dossier, the provincial-level People's Committee presidents at recognized religious organization specified at Point b, Clause 2, Article 16 of the Ordinance of belief and religion ; absence recognized shall reply in writing, clearly stating the reasons therefor.

4. Organization registration granted religious activities than 03 years, but in the course of religious activities violates the provisions of Article 15 of the Ordinance of belief, religion has been the competent State agencies are not processing consideration and recognition of religious organizations. To be considered for recognition, the organization is responsible for re-registration as provided for in Article 6 of this Decree. After a period of 01 years from the date of issuance of the registration, if not violate the proposed law, the competent State agencies recognized religious organizations.

Section 2

Establishment, division, separation, merger, consolidation

RELIGIOUS ORGANIZATIONS UNDER

Article 9. Conditions for the establishment, division, separation, merger, consolidation or religious organizations under

1. The establishment of religious organizations under must meet the following conditions:

- a) On the written request of religious organizations;

- b) Organizations established system of religious organizations has been recognized by the State;
 - c) The number of believers in the area to meet the conditions specified in the charter, the charter of religious organizations.
2. The split of religious organizations under must meet the following conditions:
- a) On the written request of religious organizations;
 - b) the organization after the split is still the system of religious organizations has been recognized by the State;
 - c) The number of followers of religious organizations under the east, wide operating area, difficult to organize religious activities.
3. The merger, consolidation religious organizations under must meet the following conditions:
- a) On the written request of religious organizations;
 - b) Organization of the merger, consolidation is still in the system of religious organizations has been recognized by the State.

Article 10. The order and procedures for the establishment, division, separation, merger, consolidation or religious organizations under

1. Religious organizations established, division, separation, merger, consolidation or religious organization affiliated shall send a written request to the competent state agencies specified in Clause 2 of this Article. Written request for the establishment, division, separation, merger, consolidation or religious organization under state the following:
- a) The name of the religious organization directly under the planned; religious organization under the name prior to division, separation, merger, consolidation and expected religious organization under the name after the split, merge or consolidation;
 - b) The reason for the establishment, division, separation, merger or consolidation;
 - c) A tentative list of those who represent religious organizations under the establishment, division, separation, merger or consolidation;
 - d) The number of followers is at the time of establishment; number of followers before and after the split, merger or consolidation;
 - e) The scope of religious activities;
 - e) The proposed location of the headquarters of the organization.
2. Competent to decide and answer period:
- a) Within 30 working days from the date of receipt of a valid request in writing, to the Prime Minister for consideration and decision and reply in writing to the religious organizations defined in Clause 3, Article 17 of the Ordinance of belief and religion; case of refusal to answer in writing, stating the reasons therefor;
 - b) Within 20 working days from the date of receipt of valid documents, the provincial-level People's Committees for consideration and decision and reply in writing to the religious organizations defined in Clause 2 of Article 17 of the Ordinance belief and religion; case of refusal to answer in writing, clearly stating the reason.

Article 11. Seal of religious organizations

Religious organizations and institutions directly under the State agency has authority recognized seal used in accordance with the law.

Section 3

**REGISTRATION OF THE UNION, verbs, INSTITUTE
AND OTHER COLLECTIVE ORGANIZATION TU**

Article 12. Registration of religious associations

1. Associations established by religious organizations to serve the religious ceremonies, including: trumpet, made in the flowers, choir, team, burial, ceremony music, team, pediatric and other forms of organized other similar activities do not have to register with the competent state agencies.
2. For religious organizations other than those specified in paragraph 1 of this article, religious organizations established association shall submit registration dossiers to competent state agencies specified in Clause 2, Article 19 of the Ordinance belief and religion.
- Comprising:
- a) The registration document, specifying the name of a registered religious organization, association name individuals responsible for the operation of the association;
 - b) The list of participating organizations operating;
 - c) Rules and regulations or rules of association activities, which clearly states the purpose of the activities, organizational structure and management.
3. Within 15 working days for religious organizations operating in a range of districts, towns and provincial cities; 20 working days for religious organizations ranging activities in many districts, counties, towns and cities in a province; 30 working days for religious associations with the scope of activities in many provinces and cities directly under the Central Government, after receiving a valid dossier, the State competent under the provisions of paragraph 2 of Article 19 of the Ordinance of belief, religion is responsible for the registration certificate for religious organizations; case of refusal to grant registration to reply in writing, clearly stating the reasons.

Article 13. Registration of religious orders, monasteries and other organized collective practice

1. The heads of religious orders, monasteries or other collective religious organizations shall send dossiers to competent state agencies specified in Clause 2, Article 19 of the Ordinance on Belief and religion.

Comprising:

- a) The registration document, clearly stating the name of the religious orders, monasteries or other organized collective practice, office or place of work, name of the head of the religious orders, monasteries or religious organizations be different;
- b) List of monks;
- c) Rules and regulations or charter operations, which clearly states the principles and purposes of operation, organization and management systems, facilities, social activities, international activities (if any) of religious orders, monasteries or other organized collective practice;
- d) List of religious institutions under religious orders, monasteries or other collective religious organizations certified by the commune-level People's Committee which is based on the status of the organization and operation.

2. Within 15 working days for orders, monasteries and other religious organizations other collective activities in a range of districts, towns and provincial cities; 20 working days for religious , monasteries and other organized collective practice scope in many districts, towns and cities in the province; 30 working days for orders, monasteries and other religious organizations Other possible scope of activities in many provinces and cities directly under the Central Government, after receiving complete and valid dossiers, the competent State agencies defined in Clause 2, Article 19 of the Ordinance, creed, religion responsible for granting registration for religious orders, monasteries and other organized collective practice; t beam refusing to grant registration to reply in writing, clearly stating the reason.

Section 4

ESTABLISHMENT AND MANAGEMENT, DISSOLUTION OF TRAINING SCHOOL, Organizing training PEOPLE SPECIAL RELIGIOUS ACTIVITIES

Article 14. Establishment of training who specializes in religious activities

1. Religious organizations established legal schools who specialize in religious activities shall send their dossiers to the Prime Minister.

Comprising:

- a) Request for the establishment of schools;
 - b) a scheme standpoint, clearly stating the name of the religious organization proposing the establishment of schools, the need was established, the name of the school, the expected location of the school together with the land records, facilities quality, the ability to ensure financial, purpose, functions, tasks, scope, program, teaching content, the draft regulations, draft regulations for admission, enrollment, the opinions of management board or board of directors (collectively, the Board) together with the summary, the team is expected to participate in teaching.
2. In the training program, the study of the history of Vietnam, the Vietnamese law is the key subject areas.
3. Within 30 working days from the date of receipt of valid dossiers, the Prime Minister for consideration and decision and response writing to religious organizations; case of refusal to answer in writing, clearly stating the reason.

Article 15. For school management training who specializes in religious activities

1. Before enrollment, the school leader shall send notice enrollment to state authorities on religion in Central. Contents of notice stating the number of students expected to recruit and security conditions.

After 15 working days from the date the notice is valid, if state authorities on religion in Central no other comments, the school enrollment is done by message content.

2. Vietnamese citizens enrolled in training who specializes in religious activities who have full civil act capacity and strict observance of the law.

3. Responsibility of the competent State agencies:

- a) the provincial-level People's Committee is responsible for the administrative management training who specializes in religious activities in the area;
- b) The Ministry of Education and Training shall assume the prime responsibility and coordinate with the Ministry of Justice, Ministry of the Interior and related agencies guidance program, teaching contents and check the history of Vietnam, the Vietnamese law prescribed by law.

Article 16. Foreigners studying at the training who specializes in religious activities in Vietnam

1. Foreigners studying at the training who specializes in religious activities in Vietnam must comply with the regulations on immigration and other laws related; school leaders agreed and procedures suggest management agencies state religion in the Central Government for consideration and decision.

School board shall send dossiers of foreign applicants enrolled at the school to the state management agency on religion in Central.

Comprising:

- a) A written request to the school of foreigners enrolled, clearly stating the name, full name, nationality, reason, time of the foreigners at the school;
- b) A copy of the passport of foreigners enrolled certified translated into English;
- c) The relevant documents in accordance with the school's enrollment.

2. Within 25 working days from the date of receipt of valid dossiers, the state management of religion in Central Government shall

respond in writing; absence of consent must state the reason.

3. Foreigners during school and after graduating from training who specializes in religious activities if religious activities in Vietnam must comply with the provisions of Articles 37, 39, 40 and 41 of this Decree .

Article 17. Dissolution of training who specializes in religious activities

1. Organized religion the dissolution of training who specializes in religious activities shall send written notice to the Prime Minister, clearly stating the reasons for the dissolution method.

Within 15 working days from the date of receipt of a valid notice, the Prime Minister a written opinion on the dissolution.

2. Land, the property can be handled according to the provisions of the current law.

Article 18. Organizing training who specializes in religious activities

1. Religious organizations organizing training who specializes in religious activities shall send a written request to the Chairman of the provincial People's Committee where classes. Written request stating the class name and locations, the reason classes, study time, content, program, participants, faculty list.

2. Within 15 working days after receiving a valid dossier, the provincial-level People's Committee presidents shall respond in writing; case of disapproval must state the reason.

Section 5

Ordained, stationery,

NOMINATION, ELECTION, ELECTION failure, demotion,

Removal of religious dignitaries

Article 19. Registration is ordained, stationery, appointment, election, election failure

1. Religious organizations perform the ordination, stationery, appointment, election, election failure of the titles include: Member of the Board Prove, Council Webmaster Central Buddhist Church of Vietnam, Venerable Master coordinates, Palmo, Buddhist nuns; members of the Standing Committee, Chairman of the Committee of the Vietnam Bishops' Conference, Cardinal, Archbishop, Bishop, vice, Bishop Bishop, managing director and the head of the religious order of the Catholic religion; Central Executive Board member of the Protestant church; members of the Grand Council, Church Council, Standing church, coordinating and dignitaries like or more of the Cao Dai church; member Central Executive Board of the Hoa Hao Buddhist Church; positions, equivalent hierarchy of other religious organizations; heads of schools who specialize in religious activities, shall submit a registration to the state management agency on religion in Central.

2. For cases not specified in Paragraph 1 of this article, religious organizations do ordain, stationery, appointment, election, election failure shall submit a registration to the provincial-level People's Committees they reside and religious activities.

3. A registration of religious organizations clearly state your full name, hierarchy, position, scope of management, summarizing the activities of registered religious.

4. The time limit for **answers:**

a) Within 20 working days from the date of a valid registration, in the case specified in paragraph 1 of this Article, if the state authorities on religion in Central no other comments, the was ordained, stationery, appointment, election, election failure religious activities under the titles have been registered;

b) After 10 working days from the date of registration valid for cases prescribed in Clause 2 of this Article, if the provincial-level People's Committees have no other comments, the ordained, , appointment, election, election failure religious activities under the titles have been registered.

Article 20. Ordained, stationery, appointment, election, election failure with foreign elements

1. The ordination, stationery, appointment, election, election failure foreign elements must be approved in writing by the State management agency on religion in Central.

Religious organizations in Vietnam have been suggested ordained, appointed, elected, election failure involving foreign elements shall send a written request to the State management agency on religion in central, clearly stating the name of religious organizations suggest the reason **for**,full names and hierarchy, position, scope of management, summarizing the religious activities of the person proposed.

2. Within 60 working days from the date of receipt of a valid written request, agencies of state management of religion in the Central Government shall give written; case of disapproval must state the reasons .

3. Where India was ordained, products, appointment, election, election failure involving foreign elements not state authorities on religion in Central approval shall not be used that title to religious activities in Vietnam.

Article 21. Informed of the demotion or dismissal of religious dignitaries

Religious organizations as demotion or dismissal of officials under their management shall send written notice to the State management agencies registered with the provisions of Clauses 1 and 2 of Article 19 of this Decree, which stating the reasons for demotion, dismissal, together with the text of the religious organization of demotion or dismissal.

Section 6

TRANSFER ACTIVITY PLACE

OF dignitaries, monks

Article 22. Notification of transfer where the religious activities of dignitaries and monks

1. Religious organizations as a transfer where religious activities of dignitaries and monks shall send written notice to the People's Committees of districts, towns and provincial cities (hereinafter referred to the district-level People's Committees) where to go within 03 working days from the date of transfer in writing.

2. Written notice stating the name, hierarchical, religious positions of the transfer, reason for transfer, where religious activities before transfer, the transfer destination.

Article 23. Register a transfer where the religious activities of dignitaries and monks

1. Religious organizations before a transfer where the religious activities of dignitaries and monks shall submit registration documents to the district-level People's Committees to.

Comprising:

a) The registration document, clearly stating your name, order, and position of religious people transfer, reason for transfer, where transfer, which transferred to;

b) Letter from the religious organizations of the transfer;

c) Curriculum vitae certified by the commune-level People's Committee's legal residence was transferred.

2. After 15 working days from the date of submission of a complete and valid dossier, if the district-level People's Committees have no idea other dignitaries, monks have the right to religious activities at the registered location.

3. Where dignitaries, monks violating religious law has been Chairman of the provincial People's Committee to handle administrative violations or criminal process, before a transfer where religious activities, Religious organizations shall submit registration dossier to the provincial-level People's Committee, the dossier as prescribed in Paragraph 1 of this Article.

Within 20 working days after receiving a valid dossier, the provincial-level People's Committees shall have to answer in writing; case of disapproval must state the reason.

Chapter IV

RELIGIOUS ACTIVITIES

Section 1

RELIGIOUS ACTIVITIES PROGRAM REGISTRATION

RELIGIOUS ORGANIZATIONS ANNUAL BASIS

Article 24. Sign up annual religious activities of religious organizations base

1. Every year before October 15th, the person in charge of religious organization basis shall send the registration of religious activities will take place next year at the facility to the commune-level People's Committees. Contents of a register stating the organization, the expected number of participants, active content, the time of the operation.

2. After 15 working days from the date of a valid registration, if the commune-level People's Committee has no other opinion held religious establishments operating under the registered content.

Article 25. Religious activities outside the registered program of religious organization basis

1. Religious activities in addition to the annual registration program without falling into the cases specified in Articles 18 and 25 of the Ordinance of belief, religion is defined as follows:

a) religious activities with the participation of the faithful outside the district, county, town, city, province or outside the province, organized religion is the basis of provincial-level People's Committee where the religious activities approval;

b) religious activities with the participation of the faithful in the districts, towns and provincial cities, organized religion is the basis of district-level People's Committee where the religious activities approved.

2. Based religious organization shall send a written request to the competent State agencies defined in clause 1 (a) and (b) of this Article, specifying the name of religious activities, organizations and projects expected number of participants, active content, time, place of work, the security conditions.

3. Within 15 working days from the date of receipt of a valid request in writing, the competent State agencies defined in clause 1 (a) and (b) of this Article shall respond in writing; absence approval must clearly state the reason.

Section 2

REGISTER TO from

Article 26. The registration of the practitioner

1. Person in charge of religious establishments shall submit registration dossiers on practitioners to commune-level People's Committee where the religious establishment within 03 working days after receiving the training.

2. Comprising:

a) List of the practitioner;

b) curriculum vitae certified by the commune-level People's Committee where the cultivation of permanent residence;

c) a written opinion of the parent or guardian (with a minor in practice).

Section 3

CONFERENCE MEETING OF RELIGIOUS ORGANIZATIONS

Article 27. Conferences and congresses of religious organization basis

1. Religious organizations annual conference facilities, convention shall send the records to the district-level People's Committee held conferences and congresses.

Comprising:

a) A written request, stating the name of the religious organization, organizational reasons, it is expected components, number of participants, content, program, time and venue of the conference, the Assembly;

b) Report on the activities of religious organizations base.

2. Within 05 working days from the date of receipt of valid dossiers, the district-level People's Committees shall have to answer in writing; case of disapproval must state the reason.

Article 28. Conferences, the central or all of organized religion

1. Religious organizations operating within many provinces and cities directly under the Central Government, the annual conference, the Congress central or director shall send their dossiers to the State management agency on religion in Central.

Comprising:

a) A written request, stating the name of the religious organization, organizational reasons, it is expected components, number of participants, content, program, time and venue of the conference, the Assembly;

b) Report on the activities of religious organizations;

c) The draft charter, charter or charter amendments (if any).

2. Within 20 working days from the date of receipt of valid dossiers, the state management of religion in Central Government shall respond in writing; absence of consent must state the reason.

Article 29. Conferences and congresses of religious organizations not falling into the cases specified in Articles 27 and 28 of this Decree

1. The annual conference, convention of religious organizations other than those specified in Articles 27 and 28 of this Decree, religious organizations shall send the dossier to the provincial-level People's Committee where conferences and congresses.

Comprising:

a) A written request, stating the name of the religious organization, organizational reasons, it is expected components, number of participants, content, program, time and venue of the conference, the Assembly;

b) Report on the activities of religious organizations;

c) The draft charter, charter or charter amendments (if any).

2. Within 10 working days after receiving a valid dossier, the provincial-level People's Committees shall have to answer in writing; case of disapproval must state the reason.

Article 30. Registration charter, charter amendments

1. Religious organizations to amend its charter, the charter shall send registration documents together with its charter, the charter amendment to competent state agencies specified in Clause 1 of Article 28 and paragraph 1 of Article 29 this Decree. Registration documents clearly stating the name of religious institutions, the representatives, the reason, amendments to the charter, the charter.

2. Within 07 working days from the date of receipt of the charter, the charter amendment, the competent State agencies shall reply in writing; case of disapproval must state the reason.

3. Religious organizations are operating under the charter, the charter after the competent state agency approval.

Section 4

For ceremonies, preachers, evangelists

RELIGIOUS ORGANIZATIONS, dignitaries and monks

Powered OUT BASIS OF RELIGION

Article 31. The religious ceremonies of the organization took place outside the religious establishment

1. Religious organizations to hold ceremonies outside religious institutions with the participation of the faithful in a range of districts, towns and provincial cities shall send a written request to the People's Committees district. Written request specifying the name of the host, content, program, time, location, scale, attended the ceremony.

Within 10 working days from the date of receipt of a valid request in writing, the district-level People's Committees shall have to answer in writing; case of disapproval must state the reason.

2. The organization of the ceremony outside a religious basis with the participation of believers from many districts, towns and provincial cities or from many provinces and cities directly under the central government, religious organizations shall send a written request to the provincial-level People's Committee held a ceremony outside the religious establishment.

Within 15 working days from the date of receipt of a valid request in writing, the provincial-level People's Committees shall have to answer in writing; case of disapproval must state the reason.

Article 32. Preacher, evangelist of dignitaries, religious practice beyond the

1. Dignitaries, religious preachers, evangelists outside the religious establishment shall send their dossiers to the district-level People's Committee is expected to preach, preacher.

Comprising:

a) A written request, specifying the reason for the preacher, evangelist outside the religious establishment, content, program, time, location, organizers and participants;

b) a written opinion of religious organizations under the direct or religious organization management officials and monks.

2. Within 10 working days from the date of receipt of valid dossiers, the district-level People's Committees shall have to answer in writing; case of disapproval must state the reason.

Section 5

RELIGIOUS ACTIVITIES OF dignitaries, monks IN AN religious relic HISTORY - CULTURE TOURIST ATTRACTION

Article 33. Activities of dignitaries, monks in religious institutions are ranked historical, cultural, scenic

1. Religious organizations based ranking religious historical, cultural, scenic appointed dignitaries, monks involved relic management to competent state agencies established.

2. Dignitaries and monks of the religious establishment has ranked historical, cultural, landscapes are normal religious activities such as religious establishments.

3. Revenues from donations, funding facilities and other sources from the festival of religious establishments were ranked historical, cultural, landscapes must be made public in the Board of monuments. This revenue is used to serve the management and renovation of monuments, religious activities and ensure the normal life of the clergy and monks at the facility.

Section 6

UPGRADING THE RENOVATION, NEW CONSTRUCTION WORKS Beliefs, religious works, auxiliary works of AN faiths, religious institutions

Article 34. The renovation, upgrading and new construction of religious works, religious works and ancillary works under the basis of religion, religious establishments must apply for a building permit

1. Religious works are works like: Dinh, temples, am, temples, halls, churches and other similar works.

2. Religious works are works such as: The headquarters of religious organizations, temples, churches, chapels, cathedrals, churches,, Buddhist concept roads, schools and training who specializes in religious activities, monuments, beer towers and similar works of religious organizations.

3. Ancillary works are works not for the worship of the religious establishment, religious organizations, such as: housing, housing, dining, kitchen, fence campus religious , religious institutions and other similar works.

4. The renovation, upgrading and new construction works in accordance with paragraphs 1, 2 and 3 of this Article and the religious works, religious works are historical, cultural, landscapes have been competent state agencies shall comply with the provisions of the rating on construction law and related laws.

Article 35. The repair, renovation and upgrading works of belief and religious works without obtaining building permits

Repair, renovation, upgrading works creed, religious works are not historical, cultural, landscapes have been competent state agencies without ranking changes reviews architecture, structural strength and safety of the facility and surrounding areas are not required to apply for building licenses.

Before the repair, renovation, upgrading works, that represents the basis of religion or religious organization basis shall send written notice to the commune-level People's Committees in, stating the reasons due time, the work item, the scope and extent of repair. Commune-level People's Committee is responsible for supervising the implementation in accordance with the law.

Section 7

Organization of collections OF FACILITY beliefs, religious organizations

Article 36. Organization donations basis of belief and religious organizations

1. The basis of religion, religious organizations shall send written notification to the competent State agencies defined in Clause 2 of this Article, the organization raised, clearly stating the purpose, scope, form, time, management mechanism and use of donated assets.

2. Agency to receive notice of the donation of the religious establishment, religious organizations:

a) In case of donation organizations within a community, informed the People's Committee of the commune where the organization donated;

b) Where the organization donated beyond the scope of a commune but within a district, informed the district-level People's Committee organized donations;

c) Where the organization donated beyond the scope of a district, informed the provincial-level People's Committee organized donations.

3. Within 03 working days in the case specified at Point a, Clause 2 of this Article; 05 working days for cases specified at Point b, Clause 2 of this Article; 07 working days, for the case Point c, Clause 2 of this Article, the competent State agencies defined in Clause 2 of this Article shall be answered in writing and monitoring the implementation of the message; cases not approved yet reason.

4. The basis of religion, religious organizations made donations to ensure openness and transparency for the donations, including the allocation; must not misuse the name of the basis of belief and religious organizations teachers to raise for personal gain or illegal purposes.

5. The reception, management and use of donations involving foreign elements shall comply with the provisions of the law.

Section 8

INTERNATIONAL RELATIONS OF RELIGIOUS ORGANIZATIONS,

Believers, clergy, dignitaries

Article 37. Inviting organizations and individuals are foreigners in Vietnam

1. Religious organizations, believers, priests, religious dignitaries invited organizations and foreign individuals who are in Vietnam to conduct international activities relating to religion shall send dossiers to State management agencies of religion at the center.

Comprising:

a) A written request, specifying the name of religious organizations and individuals invited, the purpose and contents of cooperation, the guest list, tentative program, time and venue;

b) A brief introduction of the main activities of foreign organizations and individuals.

2. Within 25 working days from the date of receipt of valid dossiers, the state management of religion in Central Government shall respond in writing; absence of consent must state the reason.

Article 38. Participation in religious activities, religious training abroad

1. Organizations, religious individuals participating in religious activities, religious training abroad shall send the dossier to the authorities of the state of religion in Central.

Comprising:

a) A written request, stating the purpose, program, time and place of religious activities, religious training abroad that religious organizations and individuals in Vietnam invited ;

b) The invitation to participate in religious activities or written approval of training organizations, religious individuals in foreign countries;

c) Approval of the religious organization directly managed.

2. Within 25 working days from the date of receipt of valid dossiers, the state management of religion in Central Government shall respond in writing; absence of consent must state the reason.

3. Dignitaries, monks, devotees after completion of training courses on religion in a foreign country, if the foreign religious organization in your office, room, appointment, election, election failure, when the English Male religious activities, religious organizations directly responsible for the management to register with the competent state agencies specified in Article 19 of this Decree.

Article 39. The preaching of the clergy and monks were foreigners in Vietnam

1. Religious organizations invited dignitaries, foreign monks who preached religious establishments in Vietnam shall send a written request to the State management agency on religion in the Central Government, which states full name dignitaries, religious, nationality, name of foreign religious organizations, programs, content, time, place, organizers and participants.

2. Within 25 working days from the date of receipt of a written request, agencies of state management of religion in the Central Government shall give written; case of disapproval must state the reason.

Article 40. Religious activities of foreigners in Vietnam

1. Foreigners legally residing in Vietnam to facilitate religious activities in religious institutions as religious believers Vietnam.

2. Foreigners wishing to focus for religious activity in legitimate religious establishment in Vietnam shall send the dossier to the provincial-level People's Committees.

Comprising:

a) Request for religious activities, stating the full name, nationality, religious representatives; reason, time, number of participants, religious establishments expected registration activities ;

b) A certified copy of proof of legal residence in Vietnam's representative;

c) The written consent of the legitimate religious organization basis where foreign groups scheduled religious activities.

3. Within 25 working days after receiving a valid dossier, the provincial-level People's Committees shall have to answer in writing; case of disapproval must state the reason.

4. Foreigners religious activities in Vietnam must comply with the provisions of this Decree and relevant legal documents.

Article 41. The exit and entry relating to religion

When implementing the provisions of Articles 37, 38, 39 and 40 of this Decree, religious organizations, believers, priests, officials must

comply with the provisions of the law on exit and entry.

Chapter V IMPLEMENTATION

Article 42. Responsibility of the Ministry of the Interior and related agencies

1. Ministry of Home Affairs, in collaboration with relevant ministries and is responsible for guiding the implementation of this Decree.
2. In the implementation of the Ordinance on Belief and religion and this Decree, the case within the jurisdiction of the Prime Minister, Ministry of the Interior is responsible for the receipt, in coordination with other ministries, sectors and provinces evaluation methods related to the Prime Minister for decision. Cases under the jurisdiction of the People's Committee, Chairman of the People's Committees at all levels, state authorities on religion at the same level shall receive dossiers and coordinate with relevant agencies evaluation, the People's Committee, People's Committee presidents decide.
3. Ministry of Culture, Sports and Tourism, the Ministry of Education and Training, the Ministry of Construction, Ministry of Natural Resources and Environment basis functions, duties, powers, coordinate with the Ministry of the Interior to assist the Government in the management state in the field of religion, religious festivals; subject Vietnamese history, Vietnamese law; construction of belief and religious works; land related to religious belief.

Article 43. Receiving records

1. Organizations and individuals doing Ordinance on Belief and religion and this Decree shall submit in person or by mail 01 dossiers to competent state agencies.
2. Upon receipt of valid dossiers, the competent State agencies must have a receipt, which date result. Receipt shall be made in 02 copies, 01 copies assigned to organizations and individuals, 01 kept at the competent State agencies. Where the application is not valid, the competent State agencies are responsible for interpretation and guidance to organizations and individuals, additional records in accordance with regulations. Complete time records not included in the time limit for reply.

Article 44. Transitional provisions

1. Religious organizations have been authorized state agency registration and recognized religious organization in accordance with Decree No. 22/2005/ND-CP dated 01 January 3, 2005 of the Government implementation of a number of articles of the Ordinance on Belief and religion do not have to do the registration and re-accreditation under the provisions of this Decree.
2. Religious organizations, religious orders, monasteries and other organized collective practice of religion has been agencies competent to grant registration under the provisions of Decree No. 22/2005/ND-CP March 1, 2005 of the Government guiding a number of articles of the Ordinance on Belief and religion is not for re-registration procedures under the provisions of this Decree.

Article 45. Takes effect

This Decree takes effect from the date of 01 01 2013.

This Decree replaces Decree No. 22/2005/ND-CP of March 1, 2005 guiding a number of articles of the Ordinance on Belief and religion.

Article 46. Responsibility for implementation

Ministers, heads of ministerial-level agencies, the heads of the agencies attached to the Government, President of the People's Committees of provinces and cities directly under the Central Government shall have to implement this Decree. /.

Recipients:

- Secretariat of the Party Central Committee;
- Prime Minister, the Deputy Prime Minister;
- Ministries, ministerial-level agencies, the agencies attached to the Government;
- Office of the Central Steering Committee on Anti-Corruption;
- People's Committees of provinces and cities directly under the Central Government;
- Central Office and the Committee of the Party;
 - Office of the Secretary General;
 - Office of the President;
- National Council and the Commission of the National Assembly;
 - Office of the National Assembly;
 - The Supreme People's Court;
 - The Supreme People's Procuracy;

TM. GOVERNMENT
PRIME MINISTER

(Signed)

Nguyen Tan Dung

- National Financial Supervisory Commission;
 - State Auditor;
 - Bank for Social Policy;
 - Development Bank of India;
- Central Committee of the Vietnam Fatherland Front;
 - Central agencies of mass;
- Office: Chairman, Deputy Chairmen, Assistant to the Prime Minister, E-portal,
departments, units, in the Official Gazette;
- Save: Clerical, NC (3b), 300B

Thuộc tính văn bản