

H.M. Juan Carlos I, King of Spain

May all men know by these presents:

That Parliament has enacted and I ratify the following General Act:

Article 1

1. The State guarantees the fundamental right to freedom of worship and religion recognized by the Constitution, in accordance with the provisions of the present Act.
2. Religious beliefs shall not occasion unequal or discriminatory treatment under the Law. No one may be deprived of any occupation or activity or public positions or employment for reasons of religion.
3. No faith shall be the official State religion.

Article 2

1. The freedom of worship and religion guaranteed by the Constitution secures the right, which may therefore be exercised by all without duress, to:
 - a) Profess whatever religious beliefs they freely choose or profess none at all; change or relinquish their faith; freely express their own religious beliefs or lack thereof or refrain from making any statement in such regard.
 - b) Take part in the liturgy and receive spiritual support in their own faith; celebrate their festivities; hold their marriage ceremonies; receive decent burial, with no discrimination for reasons of religion; be free from any obligation to receive spiritual support or participate in religious services that are contrary to their personal convictions.
 - c) Receive and deliver religious teaching and information of any kind, orally, in writing or any other means; choose religious and moral education in keeping with their own convictions for themselves and any non-emancipated minors or legally incompetent persons, in and outside the academic domain.
 - d) Meet or assemble publicly for religious purposes and form associations to undertake their religious activities in community in accordance with ordinary legislation and the provisions of this General Act.
2. It also comprises the right of Churches, Faiths and Religious Communities to establish places of worship or assembly for religious purposes, appoint and train their ministers, promulgate and propagate their own beliefs and maintain relations with their own organisations or other religious faiths, within the national boundaries or abroad.
3. To ensure true and effective application of these rights, public authorities shall adopt the necessary measures to facilitate assistance at religious services in public, military, hospital, community and penitentiary establishments and any other under its aegis, as well as religious training in public schools.

Article 3

1. The rights deriving from the freedom of worship and religion may not be exercised to the detriment of the rights of others to practise their public freedoms and fundamental rights or of public safety, health and morality, elements which constitute the order ensured under the rule of Law in democratic societies.
2. Activities, purposes and Entities relating to or engaging in the study of and experimentation with psychic or parapsychological phenomena or the dissemination of humanistic or spiritualistic values or other similar non-religious aims do not qualify for the protection provided in this Act.

Article 4

The rights recognised in this Act, practised within the limits indicated herein, shall guarantee effective

legal protection before ordinary Courts and constitutional protection before the Constitutional Court under the terms stipulated in the General Act related thereto.

Article 5

1. Churches, Faiths and Religious Communities and their Federations shall acquire legal personality once registered in the corresponding public Registry created for this purpose and kept in the Ministry of Justice.
2. Registration shall be granted by virtue of an application together with an authentic document containing notice of the foundation or establishment of the organisation in Spain, declaration of religious purpose, denomination and other particulars of identity, rules of procedure and representative bodies, including such body's powers and requisites for valid designation thereof.
3. Entities relating to a given religious Entity may only be cancelled at the request of its representative bodies or in compliance with a final court sentence.

Article 6

1. Registered Churches, Faiths, and Religious Communities shall be fully independent and may lay down their own organisational rules, internal and staff by-laws. Such rules, as well as those governing the institutions they create to accomplish their purposes, may include clauses on the safeguard of their religious identity and own personality, as well as the due respect for their beliefs, without prejudice to the rights and freedoms recognised by the Constitution and in particular those of freedom, equality and non-discrimination.
2. Churches, Faiths and Religious Communities may create and promote, for the accomplishment of their purposes, Associations, Foundations and Institutions pursuant to the provision of ordinary legislation.

Article 7

1. The State, taking account of the religious beliefs existing in Spanish society, shall establish, as appropriate, Co-operation Agreements or Conventions with the Churches, Faiths or Religious Communities enrolled in the Registry where warranted by their notorious influence in Spanish society, due to their domain or number of followers. Such Agreements shall, in any case, be subject to approval by an Act of Parliament.
2. Subject to the principle of equality, such Agreements or Conventions may confer upon Churches, Faiths or Religious Communities the tax benefits applied by ordinary legislation to non-profit Entities and other charitable organisations.

Article 8

An advisory Committee on Freedom of Worship is hereby created in the Ministry of Justice whose membership, which shall be stable, shall be divided equally between the representatives of the Central Government and of the corresponding Churches, Faiths and Religious Communities or their Federations including, in any case, those that have a notorious influence in Spain, with the participation as well of persons of renowned competence whose counsel is considered to be of interest in matters related to this Act. Such Committee may have, in turn, a standing commission whose membership shall be likewise equally apportioned.

The functions of such Committee shall consist of reviewing, reporting on and setting forth proposals with respect to issues relating to the enforcement of this Act and such intervention shall be mandatory in the preparation and recommendations for the Co-operation Agreements or Conventions referred in the preceding article.

The State acknowledges the legal personality and full legal capacity of the religious Entities in possession thereof on the date the present Act enters into force. Beginning three years thereafter, they may substantiate their legal personality only via certificate of enrollment in the Registry referred to herein.

SECOND TRANSITIONAL PROVISION

When applying for legal recognition, Religious Associations which, pursuant to the provisions of Act forty-four/nineteen hundred sixty-seven of the twenty-eighth day of June, had expressly claimed to own real or other kinds of property whose full and effective conveyance is subject to public registration, where ownership thereof has been registered in the name of third parties and those which, having lodged this

statement of property with the Government apply for legal registration thereof pursuant to the provisions of the present Act may, within one year's time, normalise the legal status of such property, by delivering the documents attesting to their ownership of property appearing under the names of intermediaries or by using any other legal procedure to substantiate their rights, until the corresponding deeds are registered in the Registry of Deeds, and such registration shall be exempt from all taxes, fees and rates that may be levied on conveyance or the documents or action generated on the occasion thereof.

REVOCATORY PROVISION

Act forty-four/nineteen hundred and sixty-seven of the twenty-eighth day of June as well as any other legal provisions that contradict the terms of the present Act are hereby repealed.

FINAL PROVISION

The Government, at the proposal of the Ministry of Justice, shall establish any such regulatory provisions as may be necessary for the organisation and operation of the Registry and the Advisory Committee on Freedom of Worship.

End of Document