

LAW ON THE LEGAL STATUS OF A CHURCH, RELIGIOUS COMMUNITY AND A RELIGIOUS GROUP

(Promulgated on the 20th of September 2007 in the Official Gazette No.113)

I. GENERAL PROVISIONS

Article 1

(1) This law regulates the establishment and the legal status of churches, religious communities and religious groups. It also regulates religious services, prayer and religious rites, religious teaching and educational activities, income as well as other issues related to churches, religious communities and religious groups.

(2) Churches, religious communities and religious groups are separate from the State and equal before the law.

Article 2

(1) In accordance with this law, a church, religious community or religious group is a voluntary community of physical personalities that exercise the freedom of religion through their religious beliefs and the sources of their teaching, united by religion and identity reflected with equal performance of religious service, prayer, rites and other forms of manifestation of one's religion.

(2) A religious servant is a person who, by his or hers belief, belongs to a church, religious community or religious group, and performs religious services, teaching and organizational and humanitarian activities on its behalf and in accordance with the norms of the supreme organ of the registered church, religious community or religious group he in accordance with the Constitution and other laws or she represents.

Article 3

The freedom of belief, thought and conscience includes the freedom of manifestation of one's religion or belief that every citizen has individually or as part of a group, in public or in private.

Article 4

(1) Religious discrimination is prohibited.

(2) Religious persuasion does not exempt a citizen from obligations that he has as a citizen according to the Constitution, laws and other regulations, unless otherwise stipulated by a law or some other regulation.

Article 5

The church, religious community and religious group has the right, internally,

to be freely organized with their own bodies of management, hierarchy and competence, to designate persons who will represent and present them, and to adopt their own acts in this regard.

Article 6

The State respects the identity of churches, religious communities, religious groups and other forms of religious association and establishes relations of continuous dialogue and continuous cooperation with them.

Article 7

(1) Church, religious community and religious group shall perform their activities in accordance with the applicable legislation of the Republic of Macedonia, International Declarations and Conventions that refer to the freedom of belief and expression of religion.

(2) State bodies, within their competences, shall create conditions for the unhindered activities of church, religious community and religious group.

Article 8

The freedom to express one's religion or belief can be limited by law only if such limitation is indispensable to the interests of public safety, public order, health or morals, or for the protection of the rights and freedoms of others.

II. THE LEGAL STATUS OF A CHURCH, RELIGIOUS COMMUNITY AND A RELIGIOUS GROUP

Article 9

(1) Church, religious community and religious group are entered on the Single Court Register of Churches, Religious Communities and Religious Groups (hereinafter referred to as the Competent Register), whereby they will acquire the status of a legal entity.

(2) The authorized state administration body competent for relations between the State and religious communities keeps records of registered churches, religious community and religious group.

(3) A church, religious community or religious group will be entered in the Competent Register, if such a church, religious community or religious group has not been registered already.

Article 10

(1) The name and official insignia of each new church, religious community and religious group shall be different from the names and official insignia of already registered churches, religious communities and religious groups.

(2) The word "Macedonia", its derivatives and the translations of this word, and the coat of arms and flag of the Republic of Macedonia may be part of the name and insignia of churches, religious communities and religious groups in a manner that supports the eminence and dignity of the Republic of Macedonia.

(3) The Ministry of Justice shall issue written consent for the use of the word "Macedonia".

Article 11

(1) The Skopje II Basic Court, in Skopje, is competent in maintaining the Single Court Register of churches, religious communities and religious groups.

(2) The data entered in the Competent Registry are public.

(3) The Minister of Justice sets down the form and content of the template of the Competent Register and the manner of its keeping.

Article 12

(1) Entering in the Competent Register is done on the basis of an application.

(2) The application referred to in paragraph (1) will contain:

- 'Minutes' of the founding assembly;
- Acts of establishment;
- Acts regulating the status, organization and activities;
- Description of the sources for teaching from Article 2 (1) from this law;
- Decision designating a person authorized to represent and present the church, religious community or religious group;
- Proof of citizenship of the founders and of the person authorized to present and represent a church, religious community and a religious group;

(3) A church, religious community or religious group is obliged to designate an authorized person who will submit an application for entry in the Competent Register, within 30 days from the day of adoption of the Acts of establishment.

(4) If all required documents have not been enclosed with the application referred to in paragraph (1) of this Article, the competent Court shall summon the applicant to submit the necessary documents within 15 days from the day of the initial submission of the necessary documents, and in case the required documents are not submitted the request shall be rejected.

Article 13

The Act of establishment referred to in Article 12 (2(2)) contains:

- Name and title of the church, religious community or religious group in the Republic of Macedonia
- Headquarters and address of the church, religious community and religious group in the Republic of Macedonia

- Description of the insignia and signs to be used by the church, religious community or religious group;
- Name and surname of the person authorized to submit the application for entry in the Competent Registry;
- Manner of expression of the religious affiliation and performance of the religious rites and rituals;
- Finance of the church, religious community or religious group and their branches and regarding the supervision of the material and financial assets belonging to them.

Article 14

Provided the conditions set forth in Articles 12 and 13 of this Law have been fulfilled, the Court competent for registration is obliged to enter a church, religious community or religious group in the competent Register within 8 days.

Article 15

The Ruling for entry of a church, religious community or religious group shall contain the following:

- Name and title;
- Headquarters and address;
- Name of the person authorized to present and represent the church, religious community or religious group;

Article 16

(1) In case of non-fulfillment of the material conditions set forth in this Law related to the entry of a church, religious community or religious group, the competent court shall reject the application.

(2) Only the submitter of the application may submit an appeal to the second instance court against the Ruling that rejects the Request within 15 days from the day of receiving the Ruling.

Article 17

(1) The decision adopted for dissolution of a registered church, religious community or religious group will be reported to the competent court for the purpose of erasing it from the Competent Register.

(2) All changes in respect of data required for entry in the Register will be submitted to the competent court within 15 days from when the change appears.

III. RELIGIOUS CEREMONY, PRAYER AND RELIGIOUS RITE

Article 18

(1) Religious rituals are to be performed in a religious facility such as a temple, mosque, house of prayer, synagogue, graveyard or other premises of a church, religious community or religious group.

(2) A religious ritual may also be performed in other public and private premises and places.

(3) Religious rites, prays and other manifestations of religion in a religious facility or in places mentioned in paragraphs 1 and 2 of this article may be performed and organized by a religious servant of a church, religious community or religious group in the Republic of Macedonia or upon their authorization.

(4) A prayer journey is a trip organized by a church, religious community or a religious group for a group of believers or religious servants for the purpose of visiting holy places. When organizing the prayer journey the organizer is obliged to apply the laws for diseases prevention and health protection of the population to the believers and the religious servants.

(5) Any false presentation as a religious servant and abuse of religious clothing and insignia of a registered church, religious community or a religious group is forbidden.

(6) No one may prevent priests and religious attendants of churches, religious communities or religious groups in the Republic of Macedonia from performing their religious activities at public religious facilities or at places where performance of religious activities is allowed under this Law.

Article 19

(1) A religious facility will be built upon a submitted application for the issuance of a construction permit.

(2) Bodies of Municipalities and of the City of Skopje competent in urbanism and adopting urban plans in a procedure before issuing the construction permit for a religious facility can ask for an opinion from the existing church, religious community and religious group, which is not obligatory for the body.

Article 20

(1) Persons staying in hospitals, orphanages, senior citizens' homes, army and police institutions and premises, penitentiaries and similar institutions can practice their religion and upon their request can be visited by priests for performance or religious rites and other forms of manifestation of religion or belief in accordance with the house rules of the institution at which they are staying.

(2) Persons referred to in paragraph 1 of this Article may be visited by religious officials for performance of religious rites.

(3) Within the relevant legal framework and opportunities offered by their premises, the institutions referred to in paragraph 1 of this Article may designate a room where religious rites shall be performed.

IV. RELIGIOUS INSTRUCTION AND EDUCATIONAL ACTIVITIES

Article 21

(1) Church, religious community and religious group have the right to organize religious education.

(2) Religious education is to take place at the premises where religious rites and other forms of public manifestation of religion are performed, as well as at other public and private premises and places, provided that the conduct of the religious teachings does not violate the public peace and order.

Article 22

(1) A church, religious community or religious group have the right to establish religious schools for all levels of education, except for primary education, for the purposes of educating priests and religious officials, having as well the right to establish dormitories for accommodation of persons educated at the said institutions.

(2) Religious schools are equal with other educational institutions and their pupils and students have the same rights.

Article 23

(1) At least 90 days before the date set for the start of work of the religious school, the church, religious community or religious group are obliged to submit an notification for establishing a religious school accompanied with the act for the purposes and internal organization of the school and the program and curriculum of the school, in accordance to this law, to the body competent for relations between the state and religious communities.

(2) The body competent for relations between the State and religious communities is obliged to deliver its Opinion to the church, religious community or religious group within 60 days from the day the notification has been submitted.

Article 24

(1) Curricula and programs of religious schools can not run contrary to the Constitution and Laws.

(2) The State administration body competent for education may have an insight into the curricula and programs of religious schools within the meaning of paragraph 1 of this Article.

Article 25

(1) Instruction at religious schools can be carried out by a citizen of the Republic of Macedonia.

(2) As an exception, if a church, religious community or religious group needs appropriate staff, the instruction at a religious school may be conducted by foreign citizens, in accordance with the regulations on the stay of foreign nationals in the Republic of Macedonia and upon an approval by the body competent for relations between the State and religious communities.

Article 26

(1) A church, religious community or religious group autonomously manages the religious schools and other educational institutions, as well as students' dormitories established in accordance with this or other Law.

(2) The authorized person of the religious school, educational institution, or students' dormitory is obliged to put at the disposal of the State administration body competent for education all data necessary to have insight in their work, and in the prescribed time determined by this authority, to eliminate eventual irregularities.

Article 27

(1) In accordance to law, religious instruction may be carried out as an optional subject at educational institutions.

(2) When preparing the curriculum and the program by which the optional subject in the area of religious education is determined, a church, religious community or a religious group may be consulted through the State administration body competent for relations between the State and religious communities.

Article 28

(1) Religious teachings may be carried out only by persons who fulfill the necessary conditions for this purpose.

Article 29

The subject religious instruction may be attended by students as an optional subject below the age of 15 years based on an approval by the student's parents and/or legal guardians.

Article 30

A church, religious community or religious group may establish humanitarian, cultural, social, health, charitable and other types of institutions in a procedure and under conditions determined by this and other law.

Article 31

A church, religious community or religious group may use the media and publish, import and export printed material in accordance with Law, as well as establish their own public information media.

REVENUES OF A CHURCH, RELIGIOUS COMMUNITY AND A RELIGIOUS GROUP

Article 32

Revenues of a church, religious community or religious group derive from: self-financing, private philanthropy, foreign donations and other forms of financing.

Article 33

(1) A church, religious community or religious group can autonomously dispose with their acquired revenues, in accordance with the law and pursuant to the regulations of the church, religious community or religious group.

(2) The financing of a church, religious community or religious group, as well as the expenditure of the financial assets, is in accordance with the legislation applicable to non-profitable organizations and organizations of public interest.

TRANSITIONAL AND FINAL PROVISIONS

Article 34

Within 90 days of the date of entry into force of this Law, the Minister of Justice shall pass an act setting out the format and content of the template for entry in the Competent Register and the manner of its keeping.

Article 35

(1) Within 60 days of the date this Law becoming applicable, the body competent for relations between the State and religious communities is obliged to submit to the Skopje II Basic Court in Skopje, the data and documents of the existing churches, religious communities and religious groups that are already included in its Register.

(2) All churches, religious communities and religious groups registered until 1998 by the body competent for relations between the State and religious communities, inclusively, may maintain their existent legal subjectivity and status, and their data will be transferred to the new competent Register within the time limit set out in the paragraph 1 of this article.

Article 36

The Law on Religious Communities and Religious Groups ("Official Gazette of the Republic of Macedonia" No. 35/97) will cease to apply on the day of entry into

force of this Law.

Article 39

This Law will enter into force on the eighth day of its publication in the "Official Gazette of the Republic of Macedonia" and will be applied from the 1st of May 2008.