

Opozorilo: Neuradno prečiščeno besedilo predpisa predstavlja zgolj informativni delovni pripomoček, glede katerega organ ne jamči odškodninsko ali kako drugače.

Neuradno prečiščeno besedilo Zakona o verski svobodi obsega:

- Zakon o verski svobodi – ZVS (Uradni list RS, št. 14/07 z dne 16. 2. 2007),
- Odločbo o razveljavitvi prvega odstavka 13. člena, 1. in 5. točke 14. člena, tretjega odstavka 24. člena, kolikor se nanaša na zaposlovanje duhovnikov, četrtega odstavka 24. člena, kolikor se nanaša na zaposlenega duhovnika, drugega odstavka 25. člena in zadnjega stavka prvega odstavka 27. člena Zakona o verski svobodi, kolikor se nanaša na 24. in 25. člen Zakona o verski svobodi, z odložnim rokom, in o ugotovitvi, da niso v neskladju z Ustavo 24. in 25. člen v delu, ki ni zajet v 4. točki izreka odločbe, 22., 23., 26., 30. in 32. člen ter peti odstavek 27. člena in tretji odstavek 29. člena Zakona o verski svobodi, tretji odstavek 52. člena Zakona o obrambi in 20. člen Zakona o pravnem položaju verskih skupnosti v Republiki Sloveniji (Uradni list RS, št. 46/10 z dne 8. 6. 2010),
- Zakon za uravnoteženje javnih financ – ZUJF (Uradni list RS, št. 40/12 z dne 30. 5. 2012),
- Zakon o spremembi in dopolnitvi Zakona o verski svobodi – ZVS-A (Uradni list RS, št. 100/13 z dne 6. 12. 2013).

**ZAKON**

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The unofficial consolidated version of the Freedom of Religion Act comprises:

- Freedom of Religion Act – ZVS (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 14/07 of 16 February 2007),
- Decision abrogating paragraph one of Article 13, points 1 and 5 of Article 14, paragraph three of Article 24, in the part that refers to the employment of priests, paragraph four of Article 24, in the part that refers to an employed priest, paragraph two of Article 25 and the last sentence of paragraph one of Article 27 of the Freedom of Religion Act, in the part that refers to Articles 24 and 25 of the Freedom of Religion Act, with the suspensive deadline, and establishing that Article 24 and Article 25, in the part outside the scope of point 4 of the operative part of the Decision, Articles 22, 23, 26, 30 and 32, and paragraph five of Article 27 and paragraph three of Article 29 of the Freedom of Religion Act, paragraph three of Article 52 of the Defence Act and Article 20 of the Legal Status of Religious Communities in the Republic of Slovenia Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 46/10 of 8 June 2010) are not inconsistent with the Constitution,
- Fiscal Balance Act – ZUJF (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 40/12 of 30 May 2012),
- Act Amending the Freedom of Religion Act – ZVS-A (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 100/13 of 6 December 2013).

**FREEDOM OF RELIGION ACT**

## **o verski svobodi (ZVS)**

**(neuradno prečiščeno besedilo št. 3)**

### **I. SPLOŠNE DOLOČBE IN TEMELJNA NAČELA**

#### **1. člen (vsebina zakona)**

Ta zakon ureja individualno in kolektivno uresničevanje verske svobode, pravni položaj cerkva in drugih verskih skupnosti, postopek njihove registracije, pravice cerkva in drugih verskih skupnosti ter njihovih pripadnikov, pravice registriranih cerkva in drugih verskih skupnosti ter njihovih pripadnikov in pooblastila ter pristojnosti organa, pristojnega za verske skupnosti (v nadaljnjem besedilu: pristojni organ).

#### **2. člen (verska svoboda)**

(1) Verska svoboda v zasebnem in javnem življenju je nedotakljiva in zagotovljena.

(2) Verska svoboda obsega pravico do svobodne izbire ali sprejetja vere, svobodo izražanja verskega prepričanja in odklonitve njenega izražanja ter svobodo, da vsakdo, sam ali skupaj z drugimi, zasebno ali javno, izraža svojo vero v bogoslužju, pouku, praksi in verskih obredih ali drugače.

(3) Nihče ne sme biti prisiljen, da postane ali ostane član cerkve ali druge verske skupnosti ali da se udeležuje oziroma ne udeležuje bogoslužja, verskih obredov in drugih oblik izražanja vere.

(4) Uresničevanje verske svobode vključuje pravico do odklonitve izpolnitve obveznosti, določene z zakonom, ki resno nasprotuje verskemu prepričanju osebe, če se s tem ne omejujejo pravice in svoboščine drugih oseb, v primerih, ki jih določa zakon. Pogoje in

## **(ZVS)**

**(Unofficial consolidated version No. 3)**

### **I. GENERAL PROVISIONS AND FUNDAMENTAL PRINCIPLES**

#### **Article 1 (Subject of the Act)**

This Act shall regulate individual and collective exercise of freedom of religion, the legal status and registration of churches and other religious communities, the rights of churches and other religious communities and their members, the rights of registered churches and other religious communities and their members, and the powers and competences of the authority responsible for religious communities (hereinafter: competent authority).

#### **Article 2 (Freedom of religion)**

(1) Freedom of religion in private and public life shall be inviolable and guaranteed.

(2) Freedom of religion shall include the right to choose or adopt a religion of one's choice, freedom or refusal of expression of a religious belief, and freedom of all persons to express individually or in community with others, in private or public, their religious beliefs through worship, teaching, practice, religious ceremonies or otherwise.

(3) No one shall be forced to become or remain a member of a church or other religious community, to participate or not to participate in worship, religious ceremonies and other forms of religious expression.

(4) Exercise of freedom of religion shall include the right to refuse the fulfilment of obligations determined by an Act that are in serious conflict with a religious conviction of a person, provided that this does not restrict the rights and freedoms of other persons, in cases

postopek v zvezi z uveljavljanjem pravice do ugovora vesti vojaški dolžnosti določajo predpisi s področja obrambe in izvrševanja vojaške dolžnosti.

(5) Država zagotavlja nemoteno uresničevanje verske svobode.

### **3. člen (prepoved diskriminacije, razpihovanja verskega sovraštva in nestrpnosti)**

(1) Prepovedano je vsakršno spodbujanje k verski diskriminaciji, razpihovanje verskega sovraštva in nestrpnosti.

(2) Prepovedana je neposredna in posredna diskriminacija zaradi verskega prepričanja, izražanja ali uresničevanja tega prepričanja.

(3) Različno obravnavanje zaradi verskega prepričanja pri zaposlovanju in delu verskih ter drugih uslužbenk in uslužbencev (v nadaljnjem besedilu: uslužbenec) cerkva in drugih verskih skupnosti ne predstavlja diskriminacije, če zaradi narave poklicne dejavnosti v cerkvah in drugih verskih skupnostih ali zaradi vsebine, v kateri se izvaja, versko prepričanje predstavlja bistveno legitimno in upravičeno poklicno zahtevo glede na etiko cerkva in drugih verskih skupnostih.

### **4. člen (laičnost države in enakopravnost cerkva in drugih verskih skupnosti)**

(1) Cerkve in druge verske skupnosti delujejo ločeno od države in so svobodne v svojem organiziranju ter pri izvajanju svojih dejavnosti. Država ne sme posegati v njihovo organiziranje in delovanje, razen v primerih, določenih z zakonom.

(2) Cerkve in druge verske skupnosti imajo enake pravice in obveznosti. Vsaka cerkev ali druga verska skupnost je v svoji ureditvi neodvisna in samostojna. Država se zavezuje k polnemu spoštovanju tega načela v medsebojnih odnosih z njimi in k sodelovanju z njimi pri

determined by an Act. The conditions and the procedure regarding the exercise of the right to the conscientious objection to military service shall be determined by regulations governing defence and military service.

(5) The state shall guarantee the unimpeded exercise of freedom of religion.

### **Article 3 (Prohibition of discrimination, incitement to religious hatred and intolerance)**

(1) Incitement to religious discrimination or religious hatred or intolerance shall be prohibited.

(2) Direct or indirect discrimination on the basis of religious belief, expression or exercise of such belief shall be prohibited.

(3) A difference in treatment on the basis of religious belief in employment and work of religious and other employees (hereinafter: employee) of churches and other religious communities shall not be deemed to be discrimination, if due to the nature of a professional activity in churches and other religious communities or context in which it is carried out, religious belief constitutes an essential legitimate and justifiable professional requirement in respect of the ethics of churches and other religious communities.

### **Article 4 (Laity of the state and equality of churches and other religious communities)**

(1) Churches and other religious communities shall act separately from the state and shall be free to organise and pursue their activities unhindered. The state shall not interfere with their organisation and activities except in cases where an Act so provides.

(2) Churches and other religious communities shall have equal rights and obligations. A church or other religious community shall be independent and autonomous in its organisation. The state shall undertake to fully respect this principle in mutual relations and to

napredku človekove osebe in skupnega dobrega.

(3) Država mora biti nevtralna do verskih prepričanj.

(4) Država se ne sme izrekati o verskih vprašanjih.

#### **5. člen**

##### **(cerkve in druge verske skupnosti kot splošno koristne organizacije)**

(1) Cerkve in druge verske skupnosti, ki se zavzemajo za duhovnost in človekovo dostojanstvo v zasebnem in javnem življenju, si prizadevajo za osmišljanje bivanja na področju verskega življenja in imajo hkrati tudi s svojim delovanjem pomembno vlogo v javnem življenju z razvijanjem svojih kulturnih, vzgojnih, izobraževalnih, solidarnostnih, karitativnih in drugih dejavnosti s področja socialne države, s katerimi bogatijo nacionalno identiteto in s tem opravljajo pomembno družbeno nalogo, so splošno koristne organizacije.

(2) Država spoštuje identiteto cerkva in drugih verskih skupnosti in vzpostavlja z njimi odprt in trajen dialog ter razvija oblike trajnega sodelovanja.

#### **6. člen**

##### **(temeljna načela delovanja cerkva in drugih verskih skupnosti)**

(1) Delovanje cerkva in drugih verskih skupnosti je svobodno, ne glede na to, ali se registrirajo ali pa delujejo brez registracije.

(2) Delovanje cerkva in drugih verskih skupnosti mora biti v skladu s pravnim redom Republike Slovenije in javnosti znano. Cerkev ali druga verska skupnost sama v skladu s svojimi avtonomnimi pravili določi način obveščanja javnosti o svojem delovanju. Delovanje cerkve ali druge verske skupnosti ne sme nasprotovati morali in javnemu redu.

cooperate with them in the development of the human person and the common good.

(3) The state shall remain neutral towards religious beliefs.

(4) The state shall not hold any views on matters of religion.

#### **Article 5**

##### **(Churches and other religious communities as organisations of general benefit)**

(1) Churches and other religious communities promoting spirituality and human dignity in private and public life, and endeavouring to create meaning in terms of existence as regards religious life and, at the same time, exerting an important role in public life through their activities by developing their cultural, educational, solidarity, charitable and other activities in the realm of the social state, and thus enriching the national identity and performing an important social role, shall be organisations of general benefit.

(2) The state shall respect the identity of churches and other religious communities and shall hold an open and ongoing dialogue with them and develop forms of lasting cooperation.

#### **Article 6**

##### **(Fundamental principles of operation of churches and other religious communities)**

(1) The operation of churches and other religious communities, whether registered or unregistered, shall be free.

(2) The operation of churches and other religious communities shall be carried out in accordance with the legal order of the Republic of Slovenia and shall be public. A church or other religious community shall determine, in accordance with its autonomous rules, the manner of informing the public regarding its operation. The operation of a church or other religious community shall not contradict the evident morals and public order.

(3) Registrirane cerkve in druge verske skupnosti so pravne osebe zasebnega prava. Pravico do pridobitve lastne pravne osebnosti imajo tudi njihovi sestavni deli.

### **7. člen (opredelitev izrazov)**

Izraza, uporabljena v tem zakonu, imata naslednji pomen:

1. cerkev ali druga verska skupnost je prostovoljno, nepridobitno združenje fizičnih oseb iste veroizpovedi, ki se ustanovi z namenom javnega in zasebnega izpovedovanja te vere ter ima lastno strukturo, organe in avtonomna interna pravila, lastno bogoslužje ali drugo versko obredje in izpovedovanje vere;
2. verski uslužbenec cerkve ali druge verske skupnosti je pripadnik registrirane cerkve ali druge verske skupnosti, ki se v svoji verski skupnosti izključno in v celoti posveča versko-obredni, versko-dobrodelni, versko-izobraževalni in versko-organizacijski dejavnosti v skladu z ureditvijo, predpisi, zahtevano izobrazbo in pooblastili vrhovnega organa svoje cerkve oziroma druge verske skupnosti.

## **II. URESNIČEVANJE VERSKE SVOBODE**

### **8. člen (združevanje)**

Osebe istega verskega prepričanja imajo pravico, da zaradi uresničevanja svojega prepričanja ustanovijo cerkev ali drugo versko skupnost.

### **9. člen (svoboda delovanja cerkva in drugih verskih skupnosti)**

Cerkve in druge verske skupnosti se svobodno organizirajo in

(3) Registered churches and other religious communities shall be legal persons governed by private law. Their integral parts shall also be entitled to acquire their own legal personality.

### **Article 7 (Definition of terms)**

For the purposes of this Act, the following definitions shall apply:

1. a church or other religious community shall be a voluntary, non-profit association of natural persons of the same religious belief established with the purpose of public and private profession of this religion and having its own structure, authorities and autonomous internal rules, its own worship and/or other religious ceremonies and profession of religion;
2. a religious employee of a church or other religious community is a member of a registered church or other religious community who is fully committed, within his or her religious community, to religious activities involving ritual, charitable, educational and organisational activities, in accordance with the organisation, regulations, required qualifications and powers of the supreme authority of his or her church or other religious community.

## **II. EXERCISE OF FREEDOM OF RELIGION**

### **Article 8 (Association)**

People of the same religious belief shall have the right to establish a church or other religious community for the purposes of exercising their religious belief.

### **Article 9 (Freedom of operation of churches and other religious communities)**

Churches and other religious communities shall be free in their

samostojno odločajo zlasti o:

1. oblikovanju, sestavi, pristojnostih in delovanju svojih organov;
2. notranji organiziranosti;
3. imenovanju in pristojnostih svojih duhovnic in duhovnikov (v nadaljnjem besedilu: duhovniki) in drugih svojih verskih uslužbencev;
4. pravicah in dolžnostih svojih pripadnic ali pripadnikov (v nadaljnjem besedilu: pripadniki), povezanih z izvajanjem vere, če s tem ne posegajo v njihovo versko svobodo;
5. povezovanju oziroma udeležbi v medkonfesionalnih oblikah organiziranja s sedežem v Republiki Sloveniji ali v tujini.

#### **10. člen (verska vzgoja otrok)**

(1) Starši imajo pravico, da vzgajajo svoje otroke v skladu s svojim verskim prepričanjem. Pri tem morajo spoštovati njihovo telesno in duševno nedotakljivost.

(2) Otrok, ki je dopolnil 15 let, ima pravico, da sam sprejema odločitve, povezane z versko svobodo.

#### **11. člen (varstvo osebnih podatkov)**

Zbiranje in obdelava podatkov o verskem prepričanju posameznika sta dovoljena pod pogoji, ki so za obdelavo občutljivih osebnih podatkov določeni v zakonu, ki ureja varstvo osebnih podatkov.

#### **12. člen (prepoved delovanja cerkve ali druge verske skupnosti)**

(1) Cerкви ali drugi verski skupnosti se s sodno odločbo prepove delovanje, če:

1. s svojim delovanjem huje krši ustavo, spodbuja k narodni, rasni,

organisation and shall make autonomous decisions on the following in particular:

1. the establishment, composition, competences and operation of their authorities;
2. internal organisation;
3. the appointment and competences of their priests, priestesses (hereinafter: priests) and other religious employees;
4. the rights and obligations of their members as regards the exercise of religion, provided that they do not interfere with their freedom of religion;
5. the association with or participation in interfaith organisations holding their registered offices in the Republic of Slovenia or abroad.

#### **Article 10 (Religious education of children)**

(1) Parents shall have the right to raise their children in accordance with their religious beliefs. In so doing, they shall respect their children's physical and mental inviolability.

(2) A child reaching the age of 15 shall have the right to adopt decisions related to freedom of religion.

#### **Article 11 (Protection of personal data)**

The collection and processing of data on the religious belief of individuals shall be permitted under the terms and conditions that apply to the processing of sensitive personal data determined in the Act governing personal data protection.

#### **Article 12 (Prohibition of operation of a church or other religious community)**

(1) A church or other religious community shall be prohibited to operate by a court decision, if:

1. through its operation, it seriously violates the constitution, incites

verski ali drugi neenakopravnosti, k nasilju ali vojni ali razpihuje narodno, rasno, versko ali drugo sovraštvo oziroma nestrpnost ali preganjanje;

2. njen namen, cilji ali način izvajanja verskega nauka, verskega poslanstva, verskih obredov ali druga dejavnost temelji na nasilju oziroma uporablja nasilna sredstva, ogroža življenje ali zdravje ali ogroža druge pravice in svoboščine pripadnikov cerkve oziroma druge verske skupnosti ali drugih oseb na način, s katerim hudo krni človekovo dostojanstvo;
3. se ugotovi, da je njena izključna dejavnost doseganje pridobitnega namena ali izvajanje pridobitne dejavnosti.

(2) Državni organi in nosilci javnih pooblastil, ki za razloge iz prejšnjega odstavka izvedo pri izvajanju svojih pooblastil, morajo državnemu tožilcu o tem podati prijavo.

(3) Če državni tožilec na podlagi prijave ali po uradni dolžnosti oceni, da so razlogi dejansko podani, vložil pri pristojnem upravnem sodišču tožbo za prepoved delovanja.

(4) Sodišče vodi postopek po določbah zakona, ki ureja upravni spor.

(5) Postopek za prepoved delovanja je prednosten in hiter.

(6) Določbe prejšnjih odstavkov veljajo tudi za neregistrirane cerkve in druge verske skupnosti, če gre za primer iz 1. ali 2. točke prvega odstavka tega člena.

(7) Določbe prejšnjih odstavkov ne veljajo za primere, ko je podana odgovornost cerkve ali druge verske skupnosti za kaznivo dejanje po določbah predpisov, ki urejajo odgovornost pravnih oseb za kazniva dejanja.

### III. REGISTRACIJA CERKVA IN DRUGIH VERSKIH SKUPNOSTI

national, racial, religious or other inequalities, incites violence or war or exacerbates national, racial, religious or other hatreds or intolerance or persecution;

2. its purpose, objectives or manner of carrying out religious instructions, religious missions, religious ceremonies or some other activity is based on violence or relies on violent methods, poses a threat to life or health or comprises a threat to other rights and freedoms of church members or members of any other religious community or any other persons in a manner that seriously infringes human dignity;
3. it is established that its exclusive activity is gaining profit or exercising a lucrative activity.

(2) National authorities and holders of public authority who, in the course of exercising their powers, come to know about the reasons referred to in the preceding paragraph shall be obliged to report such operation to the state prosecutor.

(3) Should the state prosecutor confirm the existence of such reasons, following a report or by acting *ex officio*, he or she shall file an action to prohibit the operation in the competent administrative court.

(4) The court shall conduct the procedure in accordance with the provisions of the Act governing administrative disputes.

(5) The procedure for the prohibition of operation shall be accorded priority and shall be carried out in an expeditious manner.

(6) The provisions of the preceding paragraphs shall apply also to unregistered churches and other religious communities if the case falls under point 1 or 2 of paragraph one of this Article.

(7) The provisions of preceding paragraphs shall not apply to cases where the responsibility of a church or other religious community for a criminal offence is established under the provisions of regulations governing the responsibility of legal persons for criminal offences.

### III. REGISTRATION OF CHURCHES AND OTHER RELIGIOUS COMMUNITIES

### 13. člen (registracija)

(1) Cerkev ali druga verska skupnost se lahko registrira, če ima najmanj deset polnoletnih članov, ki so državljani Republike Slovenije ali tujci, ki imajo na njenem ozemlju prijavljeno stalno prebivališče.

(2) Zahtevo za registracijo cerkve ali druge verske skupnosti poda njen zastopnik. Zahteva mora vsebovati naslednje podatke:

1. ime cerkve ali druge verske skupnosti, izpisano v latinici, ki se mora razlikovati od imen drugih cerkva in drugih verskih skupnosti in ne sme biti zavajajoče;
2. sedež in naslov sedeža cerkve ali druge verske skupnosti v Republiki Sloveniji;
3. odtis žiga z imenom cerkve ali druge verske skupnosti, ki ga bo uporabljala v pravnem prometu.

(3) Ob vložitvi zahteve za registracijo cerkve ali druge verske skupnosti vlagatelj plača upravno takso, skladno z zakonom, ki ureja upravne takse.

### 14. člen (priloge k zahtevi)

Zahtevi za registracijo cerkve ali druge verske skupnosti mora cerkev ali druga verska skupnost priložiti:

1. ([razveljavljena](#));
  - 1.a seznam s podatki oseb iz prvega odstavka prejšnjega člena (osebno ime, EMŠO oziroma datum rojstva in spol, državljanstvo in naslov stalnega prebivališča) z njihovimi overjenimi podpisi;
2. seznam s podatki zastopnikov cerkve oziroma druge verske skupnosti v Republiki Sloveniji (osebno ime, EMŠO oziroma datum rojstva in spol, državljanstvo ter naslov stalnega oziroma začasnega prebivališča, če v Republiki Sloveniji nima stalnega prebivališča) z

### Article 13 (Registration)

(1) A church or other religious community may be registered if it has at least ten adult members who are nationals of the Republic of Slovenia or foreigners with permanent residence in the Republic of Slovenia.

(2) The request to register a church or other religious community shall be submitted by its representative. The request shall contain the following information:

1. the name of the church or other religious community written in Latin characters that shall be different from the names of other churches and other religious communities and shall not be misleading;
2. the registered office of the church or other religious community in the Republic of Slovenia and the address thereof;
3. a print of the stamp bearing the name of the church or other religious community that is to be used in its legal transactions.

(3) Upon filing an application to register a church or other religious community, the applicant shall pay the administrative fee in accordance with the Act governing administrative fees.

### Article 14 (Attachments to the request)

A church or other religious community shall enclose the following documents with an application to register a church or other religious community:

1. **(Abrogated)**;
  - 1.a a list containing data referred to in paragraph one of the preceding Article (personal name, EMŠO (personal identification number) or date of birth and gender, citizenship and permanent residence address), including their authenticated signatures;
2. a list containing data on the representatives of the church or other religious community in the Republic of Slovenia (personal name, EMŠO (personal identification number) or date of birth and gender, citizenship and permanent or temporary residence address),



- njihovimi overjenimi podpisi;
3. opis temeljev svojega verovanja v slovenskem jeziku, v katerem opredeli svoj verski nauk in svoje versko poslanstvo, svoje bogoslužje in druge verske obrede ter svoje morebitne verske praznike;
  4. temeljna verska besedila cerkve ali druge verske skupnosti v integralnem besedilu;
  5. ([razveljavljena](#));
  6. akt o ustanovitvi cerkve ali druge verske skupnosti v Republiki Sloveniji;
  7. temeljni akt cerkve ali druge verske skupnosti, ki mora določati:
    - ime in sedež cerkve ali druge verske skupnosti,
    - pogoje in način včlanjevanja in prenehanja članstva v cerkvi oziroma drugi verski skupnosti,
    - morebitne pravice in obveznosti članov,
    - notranjo in teritorialno organiziranost cerkve ali druge verske skupnosti ter naziv notranjih organizacijskih struktur (v nadaljnjem besedilu: sestavni deli cerkve ali druge verske skupnosti),
    - zastopanje cerkve ali druge verske skupnosti in njenih sestavnih delov,
    - morebitni način imenovanja ali izvolitve in odpoklica svojih duhovnikov, redovnic in redovnikov (v nadaljnjem besedilu: redovniki) oziroma drugih verskih uslužbencev in drugega verskega osebja,
    - financiranje cerkve ali druge verske skupnosti ter njenih sestavnih delov, način izvajanja nadzora nad razpolaganjem s premoženjem cerkve ali druge verske skupnosti ter nad finančnim in materialnim poslovanjem cerkve ali druge verske skupnosti,
    - način prenehanja cerkve ali druge verske skupnosti ali njenega sestavnega dela in razpolaganje s premoženjem v tem primeru,
    - način zagotavljanja javnosti dela cerkve oziroma druge verske skupnosti.

**15. člen**  
**(postopek registracije)**

- including their authenticated signatures;
3. a description of the fundamental principles of their religious belief in the Slovenian language, defining its religious teachings and mission, worship service and other religious ceremonies and its religious holidays, if any;
  4. the complete fundamental religious texts of the church or other religious community;
  5. **(Abrogated)**;
  6. the memorandum of association of a church or other religious community in the Republic of Slovenia;
  7. the basic act of the church or other religious community that shall determine:
    - the name and the registered office of the church or other religious community,
    - the conditions and manner of accepting membership and termination of membership in the church or other religious community,
    - the rights and obligations of members,
    - the internal and territorial organisation of the church or other religious community and the name of the internal organisational structures (hereinafter: integral parts of the church or other religious community),
    - the representation of the church or other religious community and its integral parts,
    - the manner of appointing or electing and recalling their priests and monks or other religious employees or religious workers, if applicable,
    - the financing of the church or other religious community and its integral parts, the manner of supervising the management of assets and financial and material transactions of the church or other religious community,
    - the manner of cessation of the church or other religious community or its integral part and the disposition of property in the event of cessation,
    - the manner of guaranteeing the public operation of the church or other religious community.

**Article 15**  
**(Registration procedure)**

(1) O zahtevi za registracijo cerkve ali druge verske skupnosti odloča pristojni organ v postopku, ki ga določa ta zakon.

(2) Za vprašanja postopka, ki niso urejena s tem zakonom, se uporabljajo določbe zakona, ki ureja splošni upravni postopek.

#### **16. člen (nepopolna zahteva)**

(1) Če pristojni organ ugotovi, da zahteva za registracijo ni popolna, vložnika na to pisno opozori in mu določi rok, v katerem mora zahtevo dopolniti oziroma uskladiti.

(2) Rok iz prejšnjega odstavka ne sme biti krajši od 15 dni in ne daljši od treh mesecev.

(3) Če cerkev ali druga verska skupnost v danem roku zahteve ne dopolni ali je zahteva tudi po dopolnitvi nepopolna, jo pristojni organ zavrže.

(4) Proti sklepu o zavrženju ni pritožbe, možen pa je upravni spor.

#### **17. člen (vpis v register)**

(1) Pristojni organ mora v 60 dneh od prejema popolne zahteve za registracijo odločiti o prejeti vlogi.

(2) Pristojni organ v postopku registracije ugotavlja, ali cerkev ali druga verska skupnost izpolnjuje pogoje za registracijo iz 13., 14. in 18. člena tega zakona. Pri tem se lahko pristojni organ opre na mnenja izvedencev ustreznih strok.

(3) Če cerkev ali druga verska skupnost izpolnjuje pogoje za

(1) The competent authority shall decide on the request to register a church or other religious community in accordance with the procedure determined by this Act.

(2) Matters related to the procedure not governed herein shall be subject to the provisions of the Act governing the general administrative procedure.

#### **Article 16 (Incomplete request)**

(1) Should the competent authority establish that the request to register is incomplete, it shall bring this to the attention of the applicant in writing and shall determine a time limit by which the request shall be supplemented or harmonised.

(2) The time limit referred to in the preceding paragraph shall not be shorter than 15 days or longer than three months.

(3) If a church or other religious community fails to complete the request by the time limit or if the request remains incomplete after it has been supplemented, it shall be rejected by the competent authority.

(4) No appeal shall be allowed against the rejected decision, but it shall be possible to institute an administrative dispute.

#### **Article 17 (Entry in the register)**

(1) The competent authority shall decide on the request within 60 days of the receipt of a complete request to register.

(2) In the registration procedure, the competent authority shall establish whether a church or other religious community meets the conditions for registration referred to in Articles 13, 14 and 18 of this Act. The competent authority may take into consideration the opinion of experts in appropriate professions.

(3) If a church or other religious community meets the

registracijo, pristojni organ cerkev ali drugo versko skupnost vpiše v Register cerkva in drugih verskih skupnosti v Republiki Sloveniji (v nadaljnjem besedilu: register).

(4) Pristojni organ v primeru, da cerkve ali druge verske skupnosti ne vpiše v register, izda odločbo, s katero zavrne vpis v register. Proti odločbi ni pritožbe, možen pa je upravni spor.

#### **18. člen** **(omejitve registracije in zavrnitev zahteve)**

(1) Ni dovoljeno registrirati cerkve ali druge verske skupnosti, za katero pristojni organ ugotovi, da njen namen, cilji ali način izvajanja verskega nauka, verskega poslanstva, verskih obredov ali druga dejavnost cerkve ali druge verske skupnosti temelji na nasilju oziroma uporablja nasilna sredstva, ogroža življenje ali zdravje ali druge pravice in svoboščine pripadnikov cerkve ali druge verske skupnosti ali drugih oseb, spodbuja k narodni, rasni, verski ali drugi neenakopravnosti, razpihovanju narodnega, rasnega, verskega ali drugega sovraštva in nestrpnosti oziroma spodbuja k nasilju ali vojni.

(2) V primerih iz prejšnjega odstavka pristojni organ zahtevo za registracijo zavrne. Proti odločbi pristojnega organa o zavrnitvi zahteve ni pritožbe, možen pa je upravni spor.

#### **19. člen** **(Register cerkva in drugih verskih skupnosti v Republiki Sloveniji)**

(1) Pristojni organ vodi register. Register sestavljata zbirka podatkov in zbirka listin. Zbirka podatkov se vodi tudi v informatizirani obliki.

(2) Register je javen.

conditions for registration, the competent authority shall enter the church or other religious community data in the Register of Churches and Other Religious Communities in the Republic of Slovenia (hereinafter: the register).

(4) If the competent authority does not enter the church or other religious community data in the register, it shall issue a decision refusing the registration. No appeal shall be permitted against the decision, but it shall be possible to institute an administrative dispute.

#### **Article 18** **(Restrictions on registration and refusal of request)**

(1) It shall not be permitted to register a church or other religious community with respect to which the competent authority established that its purpose, objectives or manner of implementing religious instructions, religious mission, religious ceremonies or other activities of the church or other religious community are based on violence or rely on violent methods, are a threat to life or health or other rights and freedoms of members of the church or any other religious community or any other persons, incite national, racial, religious or any other inequalities, exacerbate national, racial, religious or any other hatred and intolerance or incite violence or war.

(2) In the cases referred to in the preceding paragraph, the competent authority shall refuse the request to register. No appeal shall be permitted against the decision, but it shall be possible to institute an administrative dispute.

#### **Article 19** **(Register of Churches and Other Religious Communities in the Republic of Slovenia)**

(1) The competent authority shall keep the register. The register shall consist of a database and a collection of documents. The database shall also be kept in electronic form.

(2) The register shall be public.

(3) V register se vpisujejo naslednji podatki:

1. zaporedna številka vpisa cerkve ali druge verske skupnosti v register ter enolična identifikacija cerkve ali druge verske skupnosti;
2. številka in datum odločbe o vpisu cerkve ali druge verske skupnosti v register;
3. ime cerkve ali druge verske skupnosti;
4. sedež in naslov sedeža cerkve ali druge verske skupnosti;
5. osebno ime, EMŠO oziroma datum rojstva in spol ter naslov stalnega prebivališča zastopnika cerkve ali druge verske skupnosti;
6. sprememba ter številka in datum odločbe o vpisu spremembe imena, sedeža, naslova sedeža, pravil ali zastopnika cerkve ali druge verske skupnosti;
7. številka in datum odločbe o izbrisu cerkve ali druge verske skupnosti iz registra;
8. opombe.

(4) Priloge k zahtevi se vodijo kot zbirka listin. Za osebne podatke, ki se vodijo v zbirki listin, veljajo določbe predpisov, ki urejajo varstvo osebnih podatkov.

(5) Registrirane cerkve in druge verske skupnosti morajo pristojnemu organu sporočiti vsako spremembo podatkov in prilog, potrebnih za registracijo cerkve ali druge verske skupnosti, v 30 dneh od nastanka vsake spremembe.

(6) Za vpis spremembe se smiselno uporabljajo določbe o registraciji cerkva in drugih verskih skupnosti.

## **20. člen**

### **(izbris iz registra cerkva in drugih verskih skupnosti)**

(1) Pristojni organ z odločbo izbriše cerkev ali drugo versko skupnost iz registra:

(3) The following data shall be entered into the register:

1. the order number of the entry of the church or other religious community into the register and a unique identification of the church or other religious community;
2. the number and date of decision on entering the church or other religious community in the register;
3. the name of the church or other religious community;
4. the registered office of the church or other religious community and the address thereof;
5. the personal name, EMŠO (personal identification number) or date of birth and gender and address of permanent residence of the representative of the church or other religious community;
6. changes, and the number and date of the decision on the entry of the changed name, registered office, registered office address, the rules or representative of the church or other religious community;
7. the number and date of decision on removal of the church or other religious community;
8. notes.

(4) Attachments to the request shall be kept as a collection of documents. Personal data kept in the collection of documents shall be subject to the provisions of regulations governing personal data protection.

(5) Registered churches and other religious communities shall communicate to the competent authority any change in data and attachments required for the registration of the church or other religious community within 30 days from the occurrence of such change.

(6) The entry of changes shall be subject to the provisions on the registration of churches and other religious communities, on a *mutatis mutandis* basis.

## **Article 20**

### **(Removal from the Register of Churches and Other Religious Communities)**

(1) The competent authority shall remove a church or other religious community data from the register by a decision:

1. če cerkev ali druga verska skupnost sprejme odločitev o svojem prenehanju;
2. če je s pravnomočno sodno odločbo ugotovljena odgovornost cerkve ali druge verske skupnosti za kazniva dejanja in je izrečena kazen prenehanja pravne osebe;
3. če je cerkev ali druga verska skupnost po določbah tega zakona prenehala;
4. če pristojni organ ugotovi, da so podatki ali priloge iz zahteve za registracijo neresnični;
5. če je cerkvi ali drugi verski skupnosti na podlagi sodne odločbe iz prvega odstavka 12. člena tega zakona prepovedano delovanje;
6. v primeru iz drugega odstavka 33. člena tega zakona.

(2) Cerkev ali druga verska skupnost preneha po samem zakonu, če dejansko preneha delovati.

(3) Z izbrisom iz registra cerkev ali druga verska skupnosti izgubi pravno osebnost.

(4) Prenehanje cerkve ali druge verske skupnosti ugotovi pristojni organ z odločbo o izbrisu.

(5) Proti odločbi pristojnega organa o izbrisu ni pritožbe, možen pa je upravni spor.

#### IV. PRAVICE REGISTRIRANIH CERKVA IN DRUGIH VERSKIH SKUPNOSTI TER NJIHOVIH PRIPADNIKOV

##### **21. člen (pravni temelji pravic)**

Za izvajanje posameznih določb Ustave Republike Slovenije ali zakona lahko država sklene sporazume z registriranimi cerkvami ali drugimi verskimi skupnostmi. Sporazum se lahko sklene z vrhovnim organom cerkve ali druge verske skupnosti v Republiki Sloveniji ali z vrhovnim organom cerkve ali druge verske skupnosti z mednarodnopravno osebnostjo, ki je za to pristojen po njenih avtonomnih

1. if the church or other religious community adopts a decision of cessation;
2. if the responsibility of the church or other religious community for criminal offences is established by final ruling and the penalty of termination of a legal person is determined;
3. if the church or other religious community ceases to exist under the provisions of this Act;
4. if the competent authority establishes that the data or attachments contained in the request for registration are false;
5. if activities of the church or other religious community are prohibited based on a judicial decision referred to in paragraph one of Article 12 of this Act;
6. in the case referred to in paragraph two of Article 33 of this Act.

(2) A church or other religious community shall cease to exist in accordance with this Act if it actually stops to operate.

(3) Upon removal, a church or other religious community shall no longer have its legal personality.

(4) Cessation of a church or other religious community shall be established by the competent authority in a decision on removal.

(5) No appeal shall be permitted against the decision of the competent authority on the removal, but it shall be possible to institute an administrative dispute.

#### IV. RIGHTS OF REGISTERED CHURCHES AND OTHER RELIGIOUS COMMUNITIES AND THEIR MEMBERS

##### **Article 21 (Legal basis of the rights)**

For the purpose of implementing individual provisions of the Constitution of the Republic of Slovenia or the Act, the state may enter into agreements with registered churches or other religious communities. Such an agreement shall be concluded with the supreme authority of a church or other religious community in the Republic of Slovenia or the supreme authority of a church or other religious community with an

pravilih.

**22. člen**  
**(verska duhovna oskrba v vojski)**

Pripadnice in pripadniki Slovenske vojske imajo med vojaško službo pravico do verske duhovne oskrbe v skladu s predpisi o vojaški službi in obrambi države.

**23. člen**  
**(verska duhovna oskrba v policiji)**

Policistkam in policistom, ki to želijo, država zagotovi versko duhovno oskrbo v okoliščinah, ko jim je uresničevanje verske svobode oteženo. Organizacijo verske duhovne oskrbe in način izvrševanja te pravice v policiji podrobneje uredi minister, pristojen za notranje zadeve.

**24. člen**  
**(verska duhovna oskrba v zavodih za prestajanje kazni)**

(1) Osebe, ki jim je na podlagi odločbe sodišča odvzeta prostost ali jim je bilo omejeno gibanje in so v zavodu za prestajanje kazni zapora, vzgojnem zavodu, prevzgojnem domu ali v zavodu za usposabljanje (v nadaljnjem besedilu: pridržane osebe), imajo pravico do redne individualne in kolektivne verske duhovne oskrbe.

(2) Materialne pogoje za uresničevanje pravice iz prejšnjega odstavka zagotavlja ministrstvo, pristojno za pravosodje.

(3) Če je v vsej državi dovolj veliko število pridržanih oseb iste veroizpovedi, ministrstvo, pristojno za pravosodje, zaposli potrebno število duhovnikov te veroizpovedi za polni ali krajši delovni čas oziroma drugače zagotovi plačilo za opravljeno delo. ([delno razveljavljen](#))

international legal personality that is competent for such matters under its autonomous rules.

**Article 22**  
**(Religious spiritual care in the military)**

Members of the Slovenian Army shall be entitled to religious spiritual care during their military service in accordance with the regulations governing military service and defence of the country.

**Article 23**  
**(Religious spiritual care in the police)**

The state shall provide religious spiritual care to police officers, upon their request, in circumstances that make the exercise of their freedom of religion difficult. The organisation of religious spiritual care and the manner of exercising this right within the police shall be regulated in detail by the minister responsible for the interior.

**Article 24**  
**(Religious spiritual care in penitentiary institutions)**

(1) Persons who have been deprived of liberty by a decision of the court or whose movement has been restricted and have been placed in prison, a residential care institution, a juvenile correctional facility or a training institution (hereinafter: inmates) shall have the right to individual and collective religious spiritual care on a regular basis.

(2) The material conditions for the exercise of rights referred to in the preceding paragraph shall be provided by the ministry responsible for justice.

(3) If the number of inmates of the same religious belief in the state is high enough, the ministry responsible for justice shall employ an appropriate number of priests of that same religion, on a full-time or part-time basis, or provide payment for the work performed in some other manner. **(Abrogated in part)**

(4) Duhovnik, ki je imenovan in zaposlen v skladu s prejšnjim odstavkom, lahko nemoteno opravlja svojo službo in brez nadzora obiskuje pridržane osebe ustrezne veroizpovedi ob primernem času. **(delno razveljavljen)**

(5) Vsaki pridržani osebi je treba v mejah možnosti omogočiti sodelovanje pri verskih obredih, ki so organizirani v zavodu, in ji omogočiti prejemanje knjig z versko vsebino in napotkov.

(6) Določbe tega člena veljajo tudi za pridržane osebe v zavodih za mladoletne.

#### **25. člen** **(verska duhovna oskrba v bolnišnicah in socialnovarstvenih zavodih, ki opravljajo institucionalno varstvo)**

(1) Osebe v bolnišnicah ali socialnovarstvenih zavodih, ki opravljajo institucionalno varstvo (v nadaljnjem besedilu: oskrbovanci) imajo pravico do redne individualne in kolektivne verske duhovne oskrbe.

(2) Če je v bolnišnicah v vsej državi dovolj veliko število oskrbovancev iste veroizpovedi, ministrstvo, pristojno za zdravje, zagotovi v partnerskem dogovarjanju, na podlagi zakona, ki ureja financiranje zdravstvenih programov in storitev, zaposlitev potrebnega števila duhovnikov, v skladu s predpisi ministra, pristojnega za zdravje. Duhovnik, ki je imenovan in tako zaposlen, lahko nemoteno opravlja svojo službo in obiskuje oskrbovance ustrezne veroizpovedi ob primernem času. **(delno razveljavljen)**

(3) Versko duhovno oskrbo oskrbovancem v socialnovarstvenih zavodih, ki izvajajo institucionalno varstvo, in se zaradi starostnih in zdravstvenih težav ne morejo udeleževati obredov zunaj zavoda, se zagotavlja v skladu s predpisi ministra, pristojnega za socialno varstvo.

(4) Vsakemu oskrbovancu je treba v mejah možnosti omogočiti sodelovanje pri verskih obredih, ki so organizirani v bolnišnici oziroma zavodu, ki opravlja institucionalno varstvo, in mu omogočiti prejemanje knjig z versko vsebino in napotkov.

(4) A priest appointed and employed in accordance with the preceding paragraph may perform his or her work undisturbed and may visit inmates of the respective religious belief without supervision when appropriate. **(Abrogated in part)**

(5) Inmates shall be allowed to take part in religious ceremonies organised in the institution to the extent practicable and shall have access to books with religious contents and instructions.

(6) The provisions of this Article shall apply also to inmates in juvenile institutions.

#### **Article 25** **(Religious spiritual care in hospitals and residential social care institutions performing institutional care)**

(1) Persons in hospitals and residential social care institutions performing institutional care (hereinafter: residents) shall have the right to regularly receive individual and collective religious spiritual care.

(2) If the number of residents of the same religion in all hospitals in Slovenia is high enough, the ministry responsible for health shall, in a cooperative dialogue and compliance with the Act governing the funding of medical programmes and services, employ a sufficient number of priests in accordance with the regulations of the minister responsible for health. A priest appointed and employed in such manner shall perform his or her duties without restriction and visit residents when appropriate. **(Abrogated in part)**

(3) Religious spiritual care shall be provided to residents in residential social care institutions performing institutional care who are unable to attend ceremonies outside an institution owing to their age and health-related problems in accordance with the regulations of the minister responsible for social security.

(4) Every resident shall be provided with the opportunity, to the extent possible, to take part in religious ceremonies organised in the hospital or the institution performing institutional care, and enable him or her access to books with religious contents and instructions.

(5) Bolnišnice oziroma zavodi, ki opravljajo institucionalno varstvo, zagotavljajo prostorske in tehnične pogoje za versko duhovno oskrbo.

**26. člen**  
**(svoboda gradnje in uporabe prostorov in stavb za verske namene)**

(1) Cerkve in druge verske skupnosti imajo pravico graditi in vzdrževati prostore in stavbe za bogoslužje, druge verske obrede ter za druga zbiranja in imajo pravico do prostega dostopa do njih.

(2) V novih urbanističnih predelih, zlasti v predelih, namenjenih za stanovanje in prebivanje, se pri pripravi prostorskega akta glede predvidene prostorske ureditve pridobijo in sporazumno uskladijo tudi potrebe, priporočila in interesi cerkva ter drugih verskih skupnosti ob upoštevanju številčnosti pripadnikov cerkva in drugih verskih skupnosti. Pripravlavec prostorskega akta mora v predlogu oceniti potrebo po verskih objektih.

(3) Prostorske akte iz prejšnjega odstavka, ki so bili v veljavi ob uveljavitvi tega zakona, je treba v razumnem roku ustrezno dopolniti ali popraviti, če obstajata za to interes in potreba tam navzočih cerkva in drugih verskih skupnosti na območjih, na katere se ti prostorski akti nanašajo.

**27. člen**  
**(pravica do namenske državne finančne pomoči za plačilo prispevkov zavarovanca za socialno varnost uslužbencev cerkva in drugih verskih skupnosti)**

(1) Registrirane cerkve in druge verske skupnosti lahko pod pogoji tega zakona za svoje verske uslužbence, ki so državljani Republike Slovenije s stalnim prebivališčem v Republiki Sloveniji, in jim je poklic verskega uslužbenca edini poklic, na podlagi njihovega pooblastila in v njihovem imenu zaprosijo za pridobitev pravice do namenske državne

(5) Hospitals or institutions performing institutional care shall provide the premises and technical conditions for religious spiritual care.

**Article 26**  
**(Freedom of construction and use of premises and buildings for religious purposes)**

(1) Churches and other religious communities shall have the right to construct and maintain premises and buildings intended for worship, other religious ceremonies and gatherings and shall have the right to free access to them.

(2) When developing new urban areas and their residential sections in particular, the preparation of spatial planning documents designing such areas shall take into account the needs, recommendations and interests of churches and other religious communities which shall be aligned by mutual agreement while observing the number of the members of the church and other religious communities. The preparer of spatial planning documents shall estimate the need for religious buildings in their prepared documents.

(3) Spatial planning documents referred to in the preceding paragraph of this Article, valid on the day this Act enters into force, shall be supplemented or amended in a reasonable period of time if there exists the interest and the need of churches and other religious communities present in the areas to which these spatial documents refer.

**Article 27**  
**(Right to allocated financial state aid for the payment of contributions of an insured person for the social security of employees of churches and other religious communities)**

(1) Registered churches and other religious communities may, in accordance with the conditions of this Act and based on authorisations provided by their employees and on their behalf, apply for the right to receive allocated financial state aid from the national budget for their religious employees who are citizens of the Republic of Slovenia or with



finančne pomoči iz državnega proračuna za pokritje prispevkov za socialno varnost v višini naslednjih vrst prispevkov za socialno varnost od osnove najmanj v višini 48 odstotkov povprečne plače za predzadnji mesec pred mesecem, v katerem se določa zavarovalna osnova: za obvezno pokojninsko in invalidsko zavarovanje (prispevek zavarovanca) ter za obvezno zdravstveno zavarovanje (prispevek zavarovanca). Te pravice ne morejo pridobiti verski uslužbenci, ki so zaposleni na podlagi določb 22. do 25. člena tega zakona. ([delno razveljavljen](#))

(2) Duhovniki in redovniki imajo pravico do namenske državne finančne pomoči iz prejšnjega odstavka, tudi če so s cerkvijo ali drugo versko skupnostjo v razmerju, ki nima vseh elementov delovnega razmerja. Država lahko plačuje pomoč iz prejšnjega odstavka za duhovnike, ki imajo vsaj srednjo izobrazbo, in za redovnike, ki imajo obljube uboštva, celibata ter pokorščine. Drugi verski uslužbenci imajo to pravico le, če imajo s cerkvijo ali drugo versko skupnostjo sklenjeno pogodbo o zaposlitvi, ki verskemu uslužbencu zagotavlja plačo.

(3) Na podlagi pridobljenega pooblastila in prejetih sredstev morajo registrirane cerkve in druge verske skupnosti za verske uslužbence iz prvega in drugega odstavka tega člena plačati prispevke v skladu s predpisi, ki urejajo plačilo prispevkov za socialno varnost. Nadzor nad zakonitostjo in namembnostjo porabe izvajajo Računsko sodišče Republike Slovenije in drugi pristojni organi.

(4) Država pri zagotavljanju pravice iz prejšnjega odstavka tega člena upošteva razumno sorazmerje med številom verskih uslužbencev in številom pripadnikov registrirane cerkve ali druge verske skupnosti, ki so državljani Republike Slovenije s stalnim prebivališčem v Republiki Sloveniji. Razumno sorazmerje je izpolnjeno, če je ugotovljeno razmerje vsaj 1.000 pripadnikov registrirane cerkve ali druge verske skupnosti na enega verskega uslužbenca te cerkve ali druge verske skupnosti. Cerkve in druge verske skupnosti število svojih pripadnikov dokazujejo z verodostojnimi podatkovnimi viri, med drugim lahko predlagajo tudi uporabo podatkov zadnjega popisa prebivalstva.

permanent residence in the Republic of Slovenia and who perform the profession of a religious employee as their sole profession in order to cover the social security contributions for the following categories of social security contributions at a rate of at least 48% of the average salary for the penultimate month preceding the month when the insurance basis was established; i.e., for the compulsory pension and disability insurance (contribution of the insured person) and for the compulsory health insurance (contribution of the insured person). This right cannot be obtained by religious employees employed on the basis of Articles 22 to 25 of this Act. **(Abrogated in part)**

(2) Priests and monks shall be entitled to the allocated financial state aid referred to in the preceding paragraph even if their relationship with the church or other religious community fails to contain all the elements of an employment relationship. The state may pay the financial aid referred to in the preceding paragraph for the priests with at least secondary education and for the monks with vows of poverty, celibacy and obedience. Other religious employees shall have this right only if they have an employment contract concluded with the church or other religious community, providing a salary to such a religious employee.

(3) Based on the authorisation and received funds, the registered churches and other religious communities shall pay contributions for the religious employees referred to in paragraphs one and two of this Article in compliance with the regulations governing the payment of social security contributions. Supervision of the legality and eligibility of the use of the funds shall be implemented by the Court of Audit of the Republic of Slovenia and other competent authorities.

(4) In ensuring the rights referred to in the preceding paragraph of this Article, the state shall take into account a reasonable proportion between the number of religious employees and the number of members of the registered church or other religious community who are citizens of the Republic of Slovenia or have permanent residence in the Republic of Slovenia. A reasonable proportion shall be deemed to exist if the proportion of at least 1000 members of the registered church or other religious community per one religious employee of the respective church or other religious community is established. Churches and other religious communities shall prove the number of their membership by credible data sources; they may also suggest the use of data gathered during the latest population census.

(5) Šteje se, da je pogoj razumnega sorazmerja za enega verskega uslužbenca izpolnjen tudi v primeru, ko registrirana cerkev ali druga verska skupnost ne more izkazati zahtevanega števila pripadnikov iz prejšnjega odstavka, vendar dokaže, da je na območju Republike Slovenije delovala vsaj 80 let pred uveljavitvijo tega zakona.

## **28. člen**

### **(financiranje državne pomoči za plačilo prispevkov za socialno varnost zavarovanca)**

(1) Javna sredstva za financiranje državne pomoči za plačilo prispevkov zavarovanca za socialno varnost po tem zakonu zagotovi pristojni organ iz državnega proračuna, nakazuje pa jih na račun cerkve ali druge verske skupnosti.

(2) Cerkve in druge verske skupnosti morajo na zahtevo pristojnega organa predložiti podatke in dokumentacijo, s katerimi razpolagajo, če ti podatki ali dokumentacija vplivajo na odločanje o pravicah iz prejšnjega člena tega zakona. Cerkve in druge verske skupnosti morajo dokumentacijo, ki se nanaša na pridobitev pravic iz prejšnjega člena, hraniti vsaj pet let po poteku leta, na katerega se nanaša.

(3) O upravičenosti do sredstev iz prejšnjega odstavka odloča pristojni organ z odločbo na podlagi vloge cerkve ali druge verske skupnosti. Proti odločbi pristojnega organa je dovoljena pritožba. O pritožbi odloča Vlada Republike Slovenije.

(4) Število oseb, za katere se za posamezni mesec cerkvi ali drugi verski skupnosti izplača državna pomoč za plačilo prispevkov, določena v prvem odstavku prejšnjega člena, je lahko v koledarskem letu po uveljavitvi tega zakona največ za pet odstotkov večje, kot je bilo prvi mesec po začetku uporabe prejšnjega člena. Če pet odstotkov ni celo število, se število zaokroži navzgor. Vsako naslednje leto je lahko število oseb, za katere se za posamezni mesec cerkvi ali drugi verski skupnosti izplačuje pomoč, največ za pet odstotkov, zaokroženo navzgor na celo

(5) It shall be deemed that the condition of a reasonable proportion per one religious employee is also fulfilled when the registered church or other religious community cannot demonstrate the required number of members referred to in the preceding paragraph, but can prove that it had been active in the territory of the Republic of Slovenia at least 80 years before the entry into force of this Act.

## **Article 28**

### **(Financing of state aid for the payment of social security contributions for insured persons)**

(1) Public funds for the financing of state aid for the payment of security contributions for the insured person under this Act shall be provided by the competent authority from the state budget and shall be transferred to the account of the church or other religious community.

(2) At the request of the competent authority, churches and other religious communities shall submit data and documents at their disposal, if such data or documents affect decisions regarding the rights referred to in the preceding Article of this Act. Churches and other religious communities shall retain the documents referring to obtaining the rights referred to in the preceding for at least five years after the expiry of the year they refer to.

(3) The competent authority shall decide about the eligibility to the funds referred to in the preceding paragraph by a decision, following a request submitted by the church or other religious community. An appeal against the decision of the competent authority shall be allowed. The appeal shall be decided on by the Government of the Republic of Slovenia.

(4) The number of persons for whom state financial aid for the payment of contributions referred to in paragraph one of the preceding Article is transferred for a particular month to a church or other religious community may increase by a maximum of 5% in the calendar year following the date of application of this Act over the number reported in the first month after the preceding Article of this Act began to apply. If 5% is not a whole number, the number shall be rounded up. Every consecutive year, the number of persons for whom the support is

število, večje od števila oseb v tistem mesecu prejšnjega leta, ko je bilo to število največje. Za cerkve in druge verske skupnosti, ki za prvi mesec po začetku uporabe prejšnjega člena niso pridobile pravic iz prejšnjega člena, se določbe tega odstavka smiselno uporabljajo tako, da se letna rast števila oseb, za katere se izplačuje pomoč, omeji na pet odstotkov.

(5) V vsakih zaporednih petih letih se lahko največje mesečno število oseb cerkve ali druge verske skupnosti, za katere se izplačuje pomoč, poveča največ za deset odstotkov, zaokroženo navzgor na celo število.

#### **29. člen** **(financiranje registriranih cerkva in drugih verskih skupnosti)**

(1) Registrirane cerkve in druge verske skupnosti se financirajo predvsem iz donacij in drugih prispevkov fizičnih in pravnih oseb ter iz svojega drugega premoženja, kakor tudi iz prispevkov mednarodnih verskih organizacij, katerih članice so.

(2) Registrirana cerkev ali druga verska skupnost sme zbirati prostovoljne prispevke v skladu s svojimi pravili in veljavno zakonodajo.

(3) Država lahko gmotno podpira registrirane cerkve in druge verske skupnosti zaradi njihovega splošno koristnega pomena, kakor je opredeljen v 5. členu tega zakona.

#### V. PRISTOJNI ORGAN

#### **30. člen** **(naloge pristojnega organa)**

(1) Pristojni organ opravlja naslednje naloge:

transferred to the church or other religious community for each particular month may be raised by no more than 5%, rounded up to the whole number, compared to the number of persons in the month of the preceding year when this number was the highest. The provisions of this paragraph shall apply *mutatis mutandis* to the churches and other religious communities that for the first month after the beginning of application of the preceding Article of this Act have not obtained the rights referred in the preceding Article of this Act, so as to limit the annual growth of the number of persons to whom the support is transferred to 5%.

(5) Over every five consecutive years, the highest monthly number of persons of the church or other religious community eligible for support may increase by a maximum of 10%, rounded up to the whole number.

#### **Article 29** **(Financing of registered churches and other religious communities)**

(1) Registered churches and other religious communities shall be financed mostly from donations and other contributions by natural and legal persons and from their other property as well as from contributions by international religious organisations whose members they are.

(2) A registered church or other religious community may collect voluntary contributions in accordance with its rules and the applicable legislation.

(3) The state may provide material support to registered churches and other religious communities on the grounds of their general benefit referred to in Article 5 of this Act.

#### V. COMPETENT AUTHORITY

#### **Article 30** **(Tasks of the competent authority)**

(1) The competent authority shall perform the following tasks:

1. spremlja položaj cerkva in drugih verskih skupnosti;
2. daje strokovno pomoč in obvešča registrirane cerkve in druge verske skupnosti o predpisih, drugih aktih in ukrepih, ki zadevajo njihovo delovanje;
3. vodi postopek za registracijo in register cerkva in drugih verskih skupnosti v skladu s 13. do 20. členom tega zakona;
4. izdaja izpise iz registra in podatke o stanju registra;
5. izdaja potrdila o pravni osebnosti registriranih cerkva in drugih verskih skupnosti;
6. izdaja potrdila o pravni osebnosti sestavnih delov registriranih cerkva in drugih verskih skupnosti na podlagi predhodnega potrdila cerkve ali druge verske skupnosti;
7. izvaja izplačila in potrebne proračunske načrtovalne dejavnosti za izplačevanje namenske državne finančne pomoči, določene v 27. in 28. členu tega zakona, ter vodi postopek odločanja, določen v tretjem odstavku 28. člena tega zakona;
8. daje pomoč in zagotavlja proračunska sredstva v skladu s prejšnjim členom zakona;
9. spremlja izvajanje predpisov, drugih aktov in ukrepov, ki zadevajo delovanje cerkva in drugih verskih skupnosti;
10. sodeluje pri pripravi predpisov, drugih aktov in ukrepov s področja delovanja cerkva in drugih verskih skupnosti, ki jih pripravljajo ministrstva oziroma drugi državni organi;
11. pripravlja gradiva in predloge sklepov za odločanje Vlade Republike Slovenije o zadevah s področja delovanja cerkva in drugih verskih skupnosti;
12. organizira razgovore in srečanja s predstavniki registriranih cerkva in drugih verskih skupnosti;
13. sodeluje z ministrstvi, drugimi državnimi in lokalnimi organi ter organizacijami pri reševanju odprtih vprašanj cerkva in drugih verskih skupnosti;
14. spremlja mednarodne konference in srečanja s področja religije in se jih udeležuje;
15. sodeluje s pristojnimi službami v drugih državah;
16. v okviru svojega delovnega področja si zlasti prizadeva za uresničevanje načela enakega obravnavanja;
17. v okviru svojih pristojnosti ustvarja pogoje za enako obravnavanje

1. monitor the situation of registered churches and other religious communities;
2. provide professional assistance and notify registered churches and other religious communities on regulations, other acts and measures affecting their activities;
3. conduct the registration procedure and maintain the Register of Churches and Other Religious Communities in accordance with Articles 13 to 20 of this Act;
4. issue extracts from the register and data on the state of the register;
5. issue certificates on the legal personality of registered churches and other religious communities;
6. issue certificates on the legal personality of the integral parts of registered churches and other religious communities based on the preliminary certificate of the church or other religious community;
7. make payments and carry out budget planning activities for the payment of allocated financial state aid referred to in Articles 27 and 28 of this Act, and to conduct a decision-making procedure determined in paragraph three of Article 28 of this Act;
8. provide assistance and budget funds in accordance with the preceding Article of this Act;
9. monitor the implementation of regulations and other acts and measures affecting the activities of churches and other religious communities;
10. participate in preparation of regulations, other acts and measures in the area of activities of churches and other religious communities prepared by the ministries or other national authorities;
11. prepare documents and proposals of resolutions for decision-making procedures of the Government of the Republic of Slovenia on issues referring to the operation of churches and other religious communities;
12. organise discussions and meetings with the representatives of registered churches and other religious communities;
13. cooperate with ministries, other national and local authorities and organisations in solving open issues of churches and other religious communities;
14. follow international conferences and meetings in the field of religion and attend them;
15. cooperate with the competent services in other countries;
16. strive to exercise the principle of equal treatment within its area of work;
17. create, within its competences, conditions supporting the equal

oseb ne glede na versko prepričanje z ozaveščanjem in spremljanjem položaja na tem področju ter z ukrepi normativne in politične narave;

18. opravlja druge naloge, določene z zakoni ali podzakonskimi akti.

(2) Pristojni organ opravlja naloge samostojno in v sodelovanju z ministrstvi, vladnimi službami, strokovnimi in znanstvenimi institucijami oziroma strokovnjaki za posamezna področja.

## VI. KAZENSKE DOLOČBE

### 31. člen

#### (kršitve določb o uporabi imena in sporočanju podatkov)

(1) Z globo od 150.000 do 300.000 tolarjev se kaznuje za prekršek registrirana cerkev ali druga verska skupnost oziroma njen posamezni sestavni del, če:

1. uporablja v pravnem prometu drugačno ime cerkve ali druge verske skupnosti, kot je vpisano v register (3. točka tretjega odstavka 19. člena);
2. v 30 dneh ne sporoči spremembe podatkov ali prilog, potrebnih za registracijo (peti odstavek 19. člena);
3. predloži pristojnemu organu napačne podatke za odločanje o pravicah iz 27. člena.

(2) Z globo od 100.000 do 150.000 tolarjev se kaznuje odgovorna oseba registrirane cerkve ali druge verske skupnosti oziroma njenega sestavnega dela, ki stori prekršek iz prejšnjega odstavka.

### 32. člen

#### (prekrškovni organ)

Pristojni organ je pristojen za nadzor nad izvajanjem tega zakona kot prekrškovni organ za prekrške, določene v prejšnjem členu tega zakona.

treatment of persons regardless of their religious belief by raising awareness and monitoring the situation in this area and through regulatory and political measures;

18. perform other tasks determined by Acts or implementing regulations.

(2) The competent authority shall perform the tasks independently and in cooperation with the ministries, government offices and expert and research institutions or experts in specific areas.

## VI. PENALTY PROVISIONS

### Article 31

#### (Violation of provisions on the use of name and reporting of data)

(1) A registered church or other religious community or an integral part thereof shall be fined from SIT 150,000 to SIT 300,000 for an offence of:

1. using a name of the church or other religious community different than that in the register (point 3 of paragraph three of Article 19) in legal transactions;
2. failing to communicate a change in data or attachments required for registration within 30 days (paragraph five of Article 19);
3. submitting false data for deciding on the rights referred to in Article 27 to the competent authority.

(2) The responsible person of the registered church or other religious community or its integral part that commits an offence referred to in the preceding paragraph shall be fined from SIT 100,000 to SIT 150,000.

### Article 32

#### (Minor offence authority)

Supervision of the implementation of this Act shall be carried out by the competent authority as a minor offence authority referred to in the preceding Article of this Act.

## VII. PREHODNE IN KONČNE DOLOČBE

### **33. člen** **(že prijavljene cerkve in druge verske skupnosti)**

(1) Cerkev in druge verske skupnosti, ki so na dan uveljavitve tega zakona prijavljene pri Uradu Vlade Republike Slovenije za verske skupnosti, ohranijo status pravne osebe in jih pristojni organ vpiše v register po uradni dolžnosti.

(2) Cerkev in druge verske skupnosti iz prejšnjega odstavka morajo v treh letih od uveljavitve tega zakona predložiti pristojnemu organu podatke iz 3. točke drugega odstavka 13. člena ter listine iz 2., 3., 4. in 7. točke 14. člena tega zakona. Če cerkev ali druga verska skupnost tega ne stori v predpisanem roku, se izbriše iz registra.

(3) Registrirane cerkve in druge verske skupnosti, ki so že pred uveljavitvijo tega zakona za svoje verske uslužbenke prejemale iz državnega proračuna finančna sredstva za delno plačilo prispevkov za socialno varnost, so upravičene do prejemanja namenske državne finančne pomoči, določene v 27. in 28. členu tega zakona, in sicer za najmanj isto število oseb ter za isto vrsto zavarovanja, kakor decembra 2003, ne glede na izpolnjevanje pogojev iz četrtega in petega odstavka 27. člena tega zakona.

(4) Če je Urad Vlade Republike Slovenije za verske skupnosti za posamezno osebo, za katero verska skupnost uveljavlja pravico do namenske državne finančne pomoči, določene v 27. in 28. členu tega zakona, zadnji mesec pred uveljavitvijo tega zakona nakazoval namensko finančno pomoč, se za to osebo sredstva za isto vrsto zavarovanja, kot jih je Urad nakazoval zadnji mesec pred uveljavitvijo tega zakona, lahko nakazujejo tudi po uveljavitvi tega zakona, ne glede na to, ali cerkev oziroma druga verska skupnost izpolnjuje pogoje iz 4. in 5. odstavka 27. člena tega zakona, in ne glede na to, ali ta oseba izpolnjuje pogoje iz 1. in 2. odstavka 27. člena tega zakona.

## VII. TRANSITIONAL AND FINAL PROVISIONS

### **Article 33** **(Churches and other religious communities already registered)**

(1) Churches and other religious communities registered with the Office of the Government of the Republic of Slovenia for Religious Communities on the day of entry into force of this Act shall keep the status of a legal person and shall be entered into the register *ex officio* by the competent authority.

(2) Churches and other religious communities referred to in the preceding paragraph shall submit to the competent authority the data referred to in point 3 of paragraph two of Article 13 and documents referred to in points 2, 3, 4 and 7 of Article 14 of this Act within three years of the entry into force of this Act. If a church or other religious community fails to do this within the prescribed time limit, it shall be removed from the register.

(3) Registered churches and other religious communities that received funds from the state budget to partially cover social security contributions for their religious employees before the entry into force of this Act shall be entitled to receive the allocated financial state aid referred to in Articles 27 and 28 of this Act for at least the same number of persons and for the same category of insurance as in December 2003, regardless of the fulfilment of conditions referred to in paragraphs four and five of Article 27 of this Act.

(4) If the Office of the Government of the Republic of Slovenia for Religious Communities, in the last month before the entry into force of this Act, has been paying allocated financial state aid for a person for whom a religious community is asserting the right to the allocated financial state aid determined in Articles 27 and 28 of this Act, the funds for such person for the same category of insurance as in the last month before the entry into force of this Act may be transferred after the entry into force of this Act, regardless of fulfilment of the terms and conditions set in paragraphs four and five of Article 27 of this Act and regardless of such person not meeting the terms and conditions set in paragraphs one

(5) Cerkvi ali drugi verski skupnosti, ki je prejela sofinanciranje prispevkov za socialno varnost že pred uveljavitvijo tega zakona, se izplačevanje nadaljuje v enakem obsegu kot zadnji mesec pred uveljavitvijo tega zakona, do začetka uporabe 27. člena tega zakona.

(6) Po tem zakonu se registrirajo vse cerkve in druge verske skupnosti, ki na dan uveljavitve zakona niso vpisane v evidenco verskih skupnosti, ki jo na podlagi Sklepa o ustanovitvi Urada Vlade Republike Slovenije za verske skupnosti (Uradni list RS, št. 72/93) vodi Urad Vlade Republike Slovenije za verske skupnosti.

#### **34. člen** **(vzpostavitev Registra cerkva in drugih verskih skupnosti v** **Republiki Sloveniji)**

Pristojni organ v treh mesecih po uveljavitvi zakona v skladu s tem zakonom vzpostavi register in vanj vnese tudi podatke o že prijavljenih cerkvah in drugih verskih skupnostih, s katerimi razpolaga. Podatke iz drugega odstavka prejšnjega člena pristojni organ vpisuje sproti.

#### **35. člen** **(prenehanje veljavnosti predpisov)**

(1) Z dnem uveljavitve tega zakona prenehajo veljati določbe Zakona o pravnem položaju verskih skupnosti v Republiki Sloveniji (Uradni list SRS, št. 15/76 in 42/86, in Uradni list RS, št. 22/91 ter 59/02 - ZJZ in 60/05 ZJZ-A), razen določb 20. člena navedenega zakona, ki ostanejo v veljavi.

(2) Zakon o pravnem položaju verskih skupnosti v Republiki Sloveniji (Uradni list SRS, št. 15/76 in 42/86, in Uradni list RS, št. 22/91

and two of Article 27 of this Act.

(5) A church or other religious community whose social security contributions had been co-financed before the entry into force of this Act shall continue to enjoy the same right as in the last month before the entry into force of this Act until the date of application of Article 27 of this Act.

(6) All churches and other religious communities that were not included in the records on religious communities kept by the Office of the Government of the Republic of Slovenia for Religious Communities on the basis of the Decision on the establishment of the Office of the Government of the Republic of Slovenia for Religious Communities (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 72/93) on the day of the entry into force of this Act shall be registered in accordance with this Act.

#### **Article 34** **(Establishing the Register of Churches and Other Religious** **Communities in the Republic of Slovenia)**

The competent authority shall establish the register, in accordance with this Act, within three months of the entry into force of this Act, entering the data on churches and other religious communities already registered. The competent authority shall promptly enter the data referred to in paragraph two of the preceding Article.

#### **Article 35** **(End of validity)**

(1) On the day this Act enters into force, the provisions of the Legal Status of Religious Communities in the Republic of Slovenia Act (Official Gazette of the Socialist Republic of Slovenia [*Uradni list SRS*], Nos 15/76 and 42/86, and Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 22/91 and 59/02 – ZJZ and 60/05 ZJZ-A) shall cease to be in force, with the exception of the provisions of Article 20 of that Act that shall remain in force.

(2) The Legal Status of Religious Communities in the Republic of Slovenia Act (Official Gazette of the Socialist Republic of Slovenia

ter 59/02 - ZJZ in 60/05 ZJZ-A) se uporablja do začetka uporabe tega zakona.

(3) Z dnem uveljavitve tega zakona preneha veljati 73.a člen Zakona o policiji (Uradni list RS, št. 107/06 - uradno prečiščeno besedilo).

**36. člen**  
**(začetek veljavnosti in uporabe zakona)**

Ta zakon začne veljati petnajsti dan po objavi v Uradnem listu Republike Slovenije, uporabljati pa se začne tri mesece po njegovi uveljavitvi, razen 27. člena tega zakona, ki se začne uporabljati 1. januarja 2007.

[*Uradni list SRS*], Nos 15/76 and 42/86, and Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 22/91 and 59/02 – ZJZ and 60/05 ZJZ-A) shall apply until the date of application of this Act.

(3) On the day this Act enters into force, Article 73a of the Police Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 107/06 – official consolidated text) shall cease to be in force.

**Article 36**  
**(Entry into force and date of application of the Act)**

This Act shall enter into force on the fifteenth day following its publication in the Official Gazette of the Republic of Slovenia and shall begin to apply three months following its entry into force, with the exception of the Article 27 of this Act that shall begin to apply on of 1 January 2007.