

DOCUMENTACIÓN EXTRANJERA E INTERNACIONAL

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1. LEGISLACIÓN ESTATAL SOBRE LIBERTAD RELIGIOSA Y DE CONCIENCIA. ESLOVENIA. LEY DE LIBERTAD RELIGIOSA DE ENERO DE 2007¹.

Eslovenia es un país con un 58 % de católicos, un 2 % de musulmanes y un 1% de evangélicos. La peculiar composición socio-religiosa del país le coloca bajo características más próximas a la Europa occidental que a la oriental. El 3 de marzo de 2007 entró en vigor una nueva ley de libertad religiosa que sustituye a la obsoleta ley de 1976 sobre comunidades religiosas. La ley recoge el reconocimiento de la libertad religiosa por las autoridades estatales y establece los parámetros para la gestión jurídico-pública de los grupos religiosos, que pivota sobre el sistema registral. La ley recoge igualmente la asistencia religiosa en las fuerzas armadas, prisiones y hospitales, así como el régimen de cooperación económica con los grupos religiosos. El artículo 22 prevé la firma de acuerdos de cooperación entre el Estado y las confesiones inscritas. Tras múltiples dificultades para su aprobación y entrada en vigor, la ley se encuentra impugnada ante la justicia constitucional eslovena.

RELIGIOUS FREEDOM ACT

I. General provisions and fundamental principles

Article 1 (Contents of the Act)

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

¹ Texto en versión inglesa no oficial, reproducido por gentileza del Drago Čepar, Director del Urad Za Verske Skupnosti.

Article 2
(Religious freedom)

(1) Religious freedom in private and public life shall be inviolable and guaranteed.

(2) Religious freedom shall encompass the right to the free choice or acceptance of a religion, freedom of expressing religious belief and refusal of its expression and freedom for everybody to express, either by himself/herself or together with other people, privately or publicly, his/her religious belief through religious service, religious instructions, practice and religious rites or in some other way.

(3) Nobody may be forced to become or remain a member of the church or some other religious community, to participate or not participate in the religious service, religious rites and other forms of religious expression.

(4) Exercise of religious freedom includes the right to refuse the fulfilment of obligations set by the law, which are in grave conflict with the religious conviction of a person, provided this does not restrict the rights and freedoms of other persons, in the cases laid down by the law. The conditions and procedure related to the exercise of the right to the conscientious objection to military service shall be determined by regulations in the field of defence and military service.

(5) The state shall guarantee smooth exercise of religious freedom.

Article 3
(Prohibition of discrimination, inflaming of religious
and other hatred and intolerance)

(1) Any incitement to religious discrimination, inflaming of religious hatred and intolerance shall be prohibited.

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

(3) A difference of treatment on the basis of religious belief in employment and work of religious and other employees (hereinafter referred to as employee) of churches and other religious communities shall not constitute discrimination, if due to the nature of a professional activity in churches and other religious communities or due to the context in which it is carried out, the religious belief constitutes a major 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 organize and implement their activities. The state shall not interfere

with their organization and activities except in cases laid down by the law.

(2) Churches and other religious communities shall have equal rights and obligations. Any church or other religious community shall be independent and autonomous in its order. The state shall undertake to fully respect this principle in mutual relations and to cooperate with them in personal development and for the common good.

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

(4) The state shall not express opinion on religious issues.

Article 5

(Churches and other religious communities as organizations of general benefit)

(1) Churches and other religious communities striving for spirituality and human dignity in private and public life, endeavour to create meaning in terms of existence as regards religious life and at the same time exert an important role in public life through their activities by developing their cultural, educational, training, solidarity, charitable and other activities in the field of social state, thus enriching the national identity and performing an important social role, are organizations of general benefit.

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

Article 6

(Fundamental principles of activities of churches and other religious communities)

(1) The activities of churches and other religious communities are free regardless of the fact whether they are registered or whether they operate without registration.

(2) The activities of churches and other religious communities shall be in accordance with the legal order of the Republic of Slovenia and known to the public. The church or other religious community itself shall determine the method of informing the public about its activities in compliance with its autonomous rules. The activities of the church or other religious community shall not be in conflict with the morals and public order.

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

Article 7

(Definition of terms)

The terms used in this Act shall mean the following:

1. a church or other religious community is a voluntary, non-profit association of natural persons of identical religious belief, established with the purpose of

public and private profession of this religion and having its proper structure, bodies and autonomous internal rules, proper religious service or other religious rites and profession of religion;

2. a religious employee of the church or other religious community is a member of a registered church or other religious community, who is dedicated in his/her religious community exclusively and fully to the religious-ritual, religious-charitable, religious-educational and religious-organizational activities in compliance with the order, regulations, required qualifications and powers of the supreme authority of his/her church or other religious community.

II. Exercise of religious freedom

Article 8 (Association)

The persons of the same religious belief shall have the right to establish a church or another religious community in order to exercise their religious belief.

Article 9 (Freedom of activities of churches and other religious communities)

Churches and other religious communities shall be organized freely and shall decide autonomously particularly about:

1. formation, composition, competence and operation of their bodies;
2. internal organization;
3. appointment and competences of their priests of both genders (hereinafter referred to as priests) and other religious employees;
4. rights and obligations of their members of both genders (hereinafter referred to as members), related to the exercise of religion, provided that in doing so, they do not interfere with their religious freedom;
5. association with or participation in interconfessional forms of organizing with the head office in the Republic of Slovenia or abroad.

Article 10 (Religious education of children)

(1) The parents shall be entitled to raise their children in accordance with their religious belief. In so doing, they shall take into account their body and mental inviolability.

(2) A child reaching fifteen years of age shall have the right to adopt decisions related to religious freedom by himself/herself.

Article 11
(Protection of personal data)

Collection and processing of data on the religious belief of an individual shall be permitted under the terms and conditions laid down for the processing of sensitive personal data by the law regulating the protection of personal data.

Article 12
(Prohibition of the activities of a church or other religious community)

(1) The activities of a church or another religious community shall be prohibited by a court decision, if:

1. it seriously violates the Constitution, incites to the national, racial, religious or other inequality, to violence or war or inflames the national, racial, religious or other hatred or impatience or prosecution;
2. its purpose, objectives or manner of carrying out religious instructions, religious mission, religious rites or some other activity is based on violence or uses violent forms, threatens life or health or threatens other rights and freedoms of church members or members of other religious community or other persons in the manner seriously violating the human dignity;
3. it is established that its exclusive activity is achieving lucrative purposes or implementing lucrative activity.

(2) National authorities and bearers of public authority who learn about the reasons as referred to in the preceding paragraph of this Article when implementing their powers, shall be obliged to report it to the state prosecutor.

(3) Should the state prosecutor evaluate on the basis of the report or ex officio that the reasons are indeed given, he/she shall bring an action for the prohibition of activities at the competent administrative court.

(4) The Court shall lead the procedure in compliance with the provisions of the law regulating the administrative dispute.

(5) The procedure for the prohibition of activities shall be given priority and shall be rapid.

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

(7) The provisions of preceding paragraphs of this Article shall not apply to cases where the responsibility of the church or another religious community for a criminal offence is given under the provisions of regulations regulating the responsibility of legal persons for criminal offences.

III. Registration of churches and other religious communities

Article 13 (Registration)

(1) A church or other religious community may be registered if it has at least 100 adult members, citizens of the Republic of Slovenia or foreigners with permanent residence registered in its territory, and if it has been performing activities in Slovenia for at least the last ten years.

(2) The request for the registration of the church or other religious community shall be submitted by its representative. The application shall contain the following information:

1. the name of the church or other religious community written in Latin letters, which has to be different from the names of other churches and other religious communities, and which must not be misleading;
2. the seat and the address of the seat of the church or other religious community in the Republic of Slovenia;
3. a stamp bearing the name of the church or other religious community that it will use in its legal transactions.

(3) When lodging the application for the registration of the church or other religious community, the applicant shall pay administrative charge in compliance with the law regulating administrative fees.

Article 14 (Enclosures to the application)

A church or other religious community shall enclose to the application for the registration of the church or other religious community the following:

1. a list containing data on persons as referred to in the first paragraph of the preceding Article (personal name, population register number or date of birth and gender, citizenship and the address of permanent residence) 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, population register number or birth date and gender, citizenship and the address of permanent or temporary residence if without the permanent residence in the Republic of Slovenia) including their authenticated signatures;
3. description of foundations of its religious belief in the Slovenian language, defining its religious belief and religious mission, religious service and other religious rites and its eventual religious holidays;

4. basic religious texts of the church or other religious community in an integrated text;
5. proofs on the presence of the church or other religious community in the Republic of Slovenia in the period of the past ten years. These proofs shall not be required in the case of a church or religious community that has been known in the world for over 100 years;
6. act on the establishment of a church or other religious community in the Republic of Slovenia;
7. the fundamental act of the church or other religious community that must determine:
 - the name and the seat of the church or other religious community;
 - the conditions and method of membership and termination of membership in the church or other religious community,
 - eventual rights and obligations of the members,
 - internal and territorial organization of the church or other religious community and the name of the interior organizational structures (hereinafter referred to as constituent parts of the church or other religious community),
 - representation of the church or other religious community and its constituent parts,
 - eventual method of appointing or electing and recalling their female and male priests and monks (hereinafter referred to as monks) or other religious employees and other religious staff,
 - financing of the church or other religious community and its constituent parts, method of control over its disposal with assets of the church or of other religious community and over the financial and material transactions of the church or other religious community,
 - method of termination of the church or other religious community or its constituent part and disposal of the property in such case,
 - method of guaranteeing the publicity of the church work or other religious community.

Article 15

(Registration procedure)

- (1) The competent authority shall decide on the application for the registration of the church or other religious community by the procedure determined by this Act.
- (2) The provisions of the law regulating the general administrative procedure shall be applied to the procedure-related issues not regulated herein.

Article 16

(Incomplete application)

(1) Should the competent authority establish that the application for registration is incomplete, it shall warn the applicant in writing thereon and shall fix a deadline for him to complete or adjust the application.

(2) The deadline from the preceding paragraph of this Article shall not be less than 15 days and not more than three months.

(3) If the church or other religious community fails to complete the application concerned by the deadline or if the application remains incomplete including after having been supplemented, it shall be rejected by the competent authority.

(4) No appeal shall be allowed against the decision on the dismissal, however, administrative dispute is possible.

Article 17

(Entry in the register)

(1) The competent authority shall decide on the received application within 60 days after the receipt of the complete application for registration.

(2) In the registration procedure, the competent authority shall establish whether the church or other religious community meets the conditions for registration as referred to in Articles 13, 14 and 18 hereof. In doing so, the competent authority may lean on the opinion of the experts pertaining to the appropriate professions.

(3) If the church or other religious community meets the conditions for registration, the competent authority shall register the church or other religious community into the register of churches and other religious communities in the Republic of Slovenia (hereinafter referred to as the register).

(4) If the competent authority does not enter the church or other religious community into the register, it shall issue a decision on the refusal of entry into the register. No appeal is allowed against the decision, however, an administrative dispute is possible.

Article 18

(Restrictions of registration and refusal of application)

(1) It is not permitted to register a church or other religious community for which the competent authority established that its purpose, objectives or method of implementing the religious instructions, religious mission, religious rites or other activities of the church or other religious community are based on violence or use violent methods, threaten life or health or other rights and freedoms of members of the church or other religious community, incites the national, racial, religious or other inequality, inflames the national, racial, religious or other hatred and intolerance or incites to violence or war.

(2) In the cases referred to in the preceding paragraph, the competent authority shall refuse the application for registration. No appeal is allowed against the decision of the competent authority, however, an administrative dispute is possible.

Article 19

(Register of churches and other religious communities
in the Republic of Slovenia)

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

(2) The register shall be public.

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

1. subsequent number of the entry of the church or other religious community into the register and a uniform identification of the church or other religious community;
2. the number and date of decision on entry of the church or other religious community in the register;
3. name of the church or other religious community;
4. head office and address of the church or other religious community;
5. personal name, population register number or date of birth and gender and address of permanent residence of the representative of the church or other religious community;
6. change and number and date of the decision on the entry of the changed name, head office, head office address, rules or representative of the church or other religious community;
7. number and date of decision on the deletion of the church or other religious community from the register;
8. comments.

(4) Enclosures to the application shall be kept as a collection of documents. For personal data kept in the collection of documents, the provisions of regulations on the protection of personal data shall apply.

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

(6) For the entry of change, the provisions on the registration of churches and other religious communities shall be applied *mutatis mutandis*.

Article 20

(Deletion from the register of churches and other religious communities)

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

1. if the church or other religious community adopts the decision on its termination;
2. if the responsibility of the church or other religious community for criminal offences is established by final ruling and the penalty of winding-up 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 enclosures contained in the application for registration are fictional;
5. if activities of the church or other religious community are prohibited based on a judicial decision as referred to in the first paragraph of Article 12 hereof;
6. in the case specified in the second paragraph of Article 33 hereof.

(2) The church or other religious community shall be terminated under the act if it in fact ceases to act.

(3) By deletion from the register, the church or other religious community shall lose its legal personality.

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

(5) No appeal shall be allowed against the decision of the competent authority, however, an administrative dispute is possible.

IV. Rights of registered churches and other religious communities and their members

Article 21

(Legal foundations of the rights)

For the purpose of implementing individual provisions of the Constitution of the Republic of Slovenia or the law, the state may conclude agreements with the registered churches or other religious communities. Such agreement shall be concluded with the supreme authority of the church or other religious community in the Republic of Slovenia or the supreme authority of the church or other religious community with an international legal personality who is competent for the matter under his/her autonomous rules.

Article 22
(Religious spiritual care in the army)

Members of the Slovenian army shall be entitled to religious spiritual care during their military service in compliance with the rules on the military service and defence of the country.

Article 23
(Religious spiritual care in the police)

The state shall provide religious care to policemen and policewomen, who wish so, in the circumstances that make their exercise of religious freedom difficult. The organization of religious spiritual care and the manner of implementing this right in the police shall be regulated in detail by the minister responsible for the interior.

Article 24
(Religious spiritual care in prisons)

(1) Persons who are deprived of liberty by a decision of the court or their movement is restricted and stay in a prison, juvenile detention facility, juvenile correctional facility or training institution (hereinafter referred to as provisionally arrested persons), shall have the right to a regular individual and collective religious spiritual care.

(2) Material conditions for the exercise of rights as referred to in the preceding paragraph of this Article shall be provided by the ministry responsible for justice.

(3) If there is a large number of provisionally arrested people of the same religious belief in the state, the ministry responsible for justice shall employ full-time or part-time the appropriate number of priests of that same religion or provide the payment for the work performed in some other manner.

(4) A priest appointed and employed in accordance with the preceding paragraph of this Article shall perform his work undisturbed and shall visit the provisionally arrested persons of the respective religious belief without supervision at the appropriate time.

(5) Any provisionally arrested person should be allowed to take part in religious rites organized in the institution to the extent practicable and be enabled to receive books with religious contents and instructions.

(6) The provisions of this Article shall apply also to provisionally arrested persons in juvenile facilities.

Article 25

(Religious spiritual care in hospitals and social welfare institutions performing institutional care)

(1) The persons in hospitals and social welfare institutions performing institutional care (hereinafter referred to as residents), shall have the right to a regular individual and collective religious spiritual care.

(2) If there is a large enough number of residents of the same religious belief in the hospitals in the state, the ministry responsible for health shall provide through partnership negotiations on the basis of the law regulating the financing of health programmes and services, the employment of the necessary number of priests in compliance with the regulations of the minister responsible for health. A priest who is appointed and employed in this manner, may perform his service undisturbed and visit the residents of the respective religious belief at the appropriate times.

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

(4) Any resident should be provided with the opportunity, to the extent practicable, to take part in religious rites organized in the hospital or the institution performing institutional care, and enable him/her to receive books with religious contents and instructions.

(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 build and maintain the premises and buildings for religious service, other religious rites and other gatherings and shall have the right to free access to them.

(2) In new urban areas, particularly in residential areas, the drafting of spatial planning acts referring to the design of such areas, should take into consideration and by mutual agreement adjust also the needs, recommendations and interests of churches and other religious communities while observing the number of the members of the church and other religious communities. The makers of spatial planning acts shall estimate the need for religious buildings in their draft proposals.

(3) Spatial planning acts referred to in the second paragraph of this Article, effective during the bringing into force of this Act, shall be supplemented or amended in

reasonable time if there exists the interest and the need of churches and other religious communities present in the areas to which these spatial acts refer.

Article 27

(Right to state financial support 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, under the terms and conditions hereof, apply on the basis of the authorization and on the behalf of their religious employees who are the citizens of the Republic of Slovenia with permanent residence in the Republic of Slovenia and who perform the profession of a religious employee as their sole profession, to obtain for them the right to the state financial support from the national budget in order to cover the social security contributions for the following categories of social security contributions at a rate of at least 60 % of average salary for the penultimate month preceding the month when the insurance basis was established: for the compulsory pension and disability insurance (contribution of the insured person) and for the compulsory health insurance (contribution of the insured person). his right cannot be obtained by religious employees employed on the basis of Articles 22 to 25 hereof.

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

(3) Based on the obtained authorization and received funds, the registered churches and other religious communities shall pay contributions for the religious employees as referred to in the first and second paragraphs of this Article in compliance with the regulations regulating the payment of social security contributions. The control of the legality, regularity and allocation of the funds shall be implemented by the Court of Audit of the Republic of Slovenia and other competent bodies.

(4) In providing the right as 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 another religious community, who are citizens of the Republic of Slovenia with 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 this church or other religious community is established. Churches and other religious communities shall prove the number of their members by authentic data sources, among other things they may also suggest the use

of data gathered during the latest population census.

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

Article 28

(Financing of state support for the payment of social security contributions for the insured person)

(1) Public funds for the financing of state support for the payment of security contributions for the insured person under this Act shall be provided by the competent body from the national budget and shall be paid on the account of the church or other religious community.

(2) On the request of the competent body, churches and other religious communities shall submit data and documents which they have at their disposal, if these data or documents affect the decisions regarding the rights as referred to in the preceding article hereof. Churches and other religious communities shall keep the documents referring to obtaining the rights as referred to in the preceding Article hereof for at least five years after the expiry of the year they refer to.

(3) The competent body shall decide about the eligibility for the funds as referred to in the preceding paragraph by a decision on the basis of an application submitted by the church or another religious community. An appeal against the decision of the competent body shall be allowed. The appeal shall be decided by the Government of the Republic of Slovenia.

(4) The number of persons for whom state financial support for the payment of contributions as defined in the first paragraph of the preceding Article is paid for a particular month to the church or other religious community, may be higher by not more than 5 % in the calendar year after the bringing into force of this Act from what it used to be in the first month after the beginning of application of the preceding Article hereof. If 5% is not a whole number, the number shall be rounded up. Every subsequent year the number of persons for whom the support is paid to the church or other religious community for each particular month may be higher by not 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 be used *mutatis mutandis* for the churches and other religious communities that for the first month after the beginning of application of the preceding Article hereof have not obtained the rights as referred in the preceding Article hereof, so as to limit the annual growth of the number of persons to whom the support is paid to 5 %.

(5) Every five subsequent years the highest monthly number of persons of the

church or other religious community to whom the support is paid, may be increased by not more than 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 by donations and other contributions made by natural and legal persons and from their other property, as well as by the contributions of international religious organizations whose members they are.

(2) Registered church or other religious community may collect voluntary contributions in compliance with its rules and effective legislation.

(3) The state may provide material support to registered churches and other religious communities because of their general benefit as defined in Article 5 hereof.

V. Competent body

Article 30

(Tasks of the competent body)

(1) The competitive body shall perform the following tasks:

1. monitor the state of registered churches and other religious communities;
2. provide professional assistance and inform registered churches and other religious communities on regulations, other acts and measures affecting their activities;
3. conduct the procedure for registration and register of churches and other religious communities in compliance with Articles 13 to 20 hereof;
4. issue extracts from the register and data on the state of register;
5. issue certificates on the legal personality of registered churches and other religious communities;
6. issues certificates on the legal personality of the constituent parts of registered churches and other religious communities based on the preliminary certificate of the church or other religious community;
7. perform payments and the necessary budget planning activities for the payment of state financial support as determined in Articles 27 and 28 hereof, and conduct the procedure of decision-making as determined in the third paragraph of Article 28 hereof;
8. provide assistance and budget funds in compliance with the preceding Article hereof;
9. monitor the implementation of regulations and other acts and measures affecting the activities of churches and other religious communities;
10. participate in drafting regulations, other acts and measures in the area of

activities of churches and other religious communities drafted by the ministries or other national authorities;

11. draft materials and proposals of decisions for decision-making procedure of the Government of the Republic of Slovenia on issues referring to specific fields of work of churches and other religious communities;

12. organize discussions and meetings with the representatives of registered churches and other religious communities;

13. cooperate with the ministries, other national and local bodies and organizations in providing solution to the open questions of churches and other religious communities;

14. monitor international conferences and meetings in the field of religion and attend them;

15. cooperate with the competent services in other countries;

16. particularly strive to exercise the principle of equal treatment within its area of work;

17. create the terms and conditions for equal treatment of persons within its competences regardless of religious belief by raising awareness and monitoring the situation in this field and by regulatory and political measures;

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

(2) The competent authority shall perform the tasks autonomously and in cooperation with the ministries, government offices and expert and scientific institutions or experts for particular fields.

VI. Penal provisions

Article 31

(Breach of the provisions on the use of name and communication of data)

(1) A registered church or other religious community or any of its constituent parts shall be punished for the offence by a fine of SIT 150.000 to 300.000, if:

1. it uses in legal transactions a different name of the church or other religious community than entered into the register (point 3 of the third paragraph of Article 19);

2. fails to communicate the change of data or enclosures required for registration within 30 days (fifth paragraph of Article 19);

3. submits to the competent authority false data for deciding on the rights as referred to in Article 27.

(2) The responsible person of the registered church or other religious community or its constituent part that commits the offence from the preceding paragraph of this

Article, shall be punished by a fine from SIT 100.000 to 150.000.

Article 32
(Body for misdemeanours)

The competent body shall be responsible for monitoring the implementation of this Act as a body for misdemeanours as defined in the preceding Article hereof.

VII. Transitional and Final Provisions

Article 33
(Already registered churches and other religious communities)

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

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

(3) Registered churches and other religious communities that used to receive the funds from the national budget for partial payment of social security contributions for their religious employees even before the bringing into force of this Act, shall be entitled to receive the state financial support as referred to in Articles 27 and 28 hereof for at least the same number of persons and for the same category of insurance as in December 2003, regardless of the meeting of conditions as referred to in the fourth and fifth paragraphs of Article 27 hereof.

(4) If the Office of the Government of the Republic of Slovenia for Religious Communities, in the last month before the bringing into force of this Act, has been paying state financial support for a person, for whom a religious community is asserting the right to the state financial support as determined in Articles 27 and 28, the funds for him/her for the same category of insurance as in the last month before the bringing into force of this Act may be paid also after the bringing into force of this Act, regardless of his religious community not meeting the terms and conditions as referred in the fourth and fifth paragraphs of Article 27 hereof and regardless of him/her not meeting the terms and conditions as referred in the first and second paragraphs of Article 27 hereof.

(5) Payment to the church or other religious community that used to receive the co-financing of social security contributions even before the bringing into force of this

Act, shall be continued within the same scope as in the last month before bringing into force of this Act until the beginning of the application of Article 27 hereof.

(6) Under this Act, all churches and other religious communities shall be registered that on the day of bringing into force of the Act have not been entered into 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 (Uradni list RS, No. 72/93).

Article 34

(Establishing the register of churches and other religious communities in the Republic of Slovenia)

The competent authority shall establish the register within three months after the bringing into force of the Act in accordance thereof and shall integrate into it the data on the already registered churches and other religious communities that it has at its disposal. The competent body shall promptly enter the data from the second paragraph of the preceding Article.

Article 35

(Termination of validity of regulations)

(1) On the day of coming into force of this Act, the provisions of the Legal Status of Religious Communities in the Republic of Slovenia Act (Uradni list SRS, Nos. 15/76 and 42/86, and Uradni list RS No. 22/91 and 59/02 – ZJZ and 60/05 ZJZ-A), shall cease to apply, except the provisions of Article 20 of the mentioned act that shall remain in force.

(2) The Legal Status of Religious Communities in the Republic of Slovenia Act (Uradni list SRS, Nos. 15/76 and 42/86, and Uradni list RS No. 22/91 and 59/02 – ZJZ and 60/05 ZJZ-A), shall be applied until the beginning of application of this Act.

(3) On the day of bringing into force of this Act, Article 73a of the Police Act (Uradni list RS, No. 3/06 – officially consolidated text) shall cease to apply.

Article 36

(Coming into force and beginning of the application of the Act)

This Act shall enter into force on the fifteenth day after its publication in Uradni list Republike Slovenije and it shall begin to apply three months after its bringing into force, except Article 27 of this Act that shall begin to apply on 1 January 2007.