

Disclaimer: The unofficial consolidated text of this regulation merely serves as a working tool for information purposes, in respect of which the relevant body accepts no liability for damages or any other liability.

The unofficial consolidated version of the Religious Freedom Act comprises:

Religious Freedom Act (the ZVS; Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 14/07 of 16 February 2007),

Decision repealing the first paragraph of Article 13, points 1 and 5 of Article 14, and the third paragraph of Article 24 to the extent relevant to the employment of priests, the fourth paragraph of Article 24 to the extent relevant to an employed priest, the second paragraph of Article 25 and the last sentence of the first paragraph of Article 27 of the Religious Freedom Act to the extent referring to Articles 24 and 25 of the Religious Freedom Act, including the period of deferment, and finding that Articles 24 and 25 in the part not covered in point 4 of the operative part of the decision, Articles 22, 23, 26, 30 and 32, the fifth paragraph of Article 27, and the third paragraph of Article 29 of the Religious Freedom Act, the third paragraph 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 (the ZUJF; Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 40/12 of 30 May 2012), and

Act Amending the Religious Freedom Act (the ZVS-A; Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 100/13 of 6 December 2013).

## Religious Freedom Act <sup>1</sup>

### 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 authority responsible for religious communities (hereinafter referred to as the Competent Authority).

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<sup>1</sup> Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 14/07, 46/10 – Constitutional Court Decision, 40/12 – ZUJF and 100/13

**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 worship, religious instructions, practice and religious ceremonies or in some other way.
- (3) Nobody may be forced to become or remain a member of a church or some other religious community, to participate or not participate in worship service, religious ceremonies 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, Incitement of Religious Hatred and Intolerance)

- (1) Any incitement to religious discrimination, incitement 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 in treatment on the basis of religious belief in employment and work of religious and other employees (hereinafter referred to as the 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 pursue 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. Every church or other religious community shall be independent and autonomous in its organization. The state shall undertake to fully respect this principle in mutual relations and to cooperate with them in the advancement of the human person and 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 promoting 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, 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 non-registered.

(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. A church or other religious community itself shall determine the method of informing the public about its activities in accordance with its autonomous rules. The activities of a church or other religious community shall not contradict the morals and public order.

(3) Registered churches and other religious communities are legal persons governed by private law. Their component 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, authorities and autonomous internal rules, its proper worship service 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 dedicated in his/her religious community exclusively and fully to the religious-ritual, religious-charitable, religious-educational and religious-organizational activities in accordance 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 other 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, competences and operation of their authorities;
2. internal organization;
3. appointment and competences of their priests of both genders (hereinafter referred to as the Priests) and their other religious Employees;
4. rights and obligations of their members of both genders (hereinafter referred to as the 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 seat 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 respect 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 for the processing of sensitive personal data laid down by the law regulating the protection of personal data.

### **Article 12** (Prohibition of the Pursuit of Activities of a Church or Other Religious Community)

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

1. through the pursuit of its activities 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 ceremonies 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 infringing human dignity;

3. it is established that its exclusive activity is achieving lucrative purpose or exercising lucrative activity.

(2) National authorities and bearers of public authority who learn about the reasons as referred to in the previous 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 the pursuit of activities in the competent administrative court.

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

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

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

(7) The provisions of previous paragraphs of this Article 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 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 10 adult Members, citizens of the Republic of Slovenia or foreigners with permanent residence registered in its territory.

(2) The application for the registration of a 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 a church or other religious community,

the applicant shall pay administrative charge in accordance 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. (repealed) <sup>2</sup>;

1. a list containing data on persons as referred to in the first paragraph of the previous Article (personal name, population register number or date of birth and gender, citizenship and the address of permanent residence), including their authenticated signatures;

2. 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, worship service and other religious ceremonies and its religious holidays if any;

4. basic religious texts of the church or other religious community in a comprehensive text;

5. (repealed);

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,

- potential 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 the Component Parts of the church or other religious community),

- representation of the church or other religious community and its Component Parts,

- potential method of appointing or electing and recalling their Priests and monks of both genders (hereinafter referred to as the Monks) or other religious Employees and other religious staff,

- financing of the church or other religious community and its Component Parts, method of

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<sup>2</sup> All repeals and partial repeals of the articles of the Religious Freedom Act refer to the Decision No. U-I-92/07 of 15 April 2010 (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 46/2010). These are the repeals of points 1 and 5 of Article 14 and partial repeals of the third and fourth paragraphs of Article 24 of the Religious Freedom Act, the second paragraph of Article 25 of the Religious Freedom Act, and the first paragraph of Article 27 of the Religious Freedom Act.

control over the 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 Component Part and disposal with the property in such case, method of guaranteeing the publicity of the church work or the work of other religious community.

### **Article 15**

(Registration Procedure)

(1) The Competent Authority shall decide on the application for the registration of a 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 thereof and shall fix a deadline for him/her to complete or adjust the application.

(2) The deadline from the previous paragraph of this Article shall not be less than 15 days and no more than three months.

(3) If a church or other religious community fails to complete the application concerned by the deadline or if the application remains incomplete after having been supplemented, it shall be dismissed 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 of the receipt of the complete application for registration.

(2) In the registration procedure, the Competent Authority shall establish whether a 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 of appropriate professions.

(3) If a 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, 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 ceremonies 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 or other persons, 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 previous paragraph of this Article, the Competent Authority shall refuse the application for registration. No appeal is allowed against the decision of the Competent Authority, however, administrative dispute is possible.

### **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 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. seat and address of the seat 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, number and date of the decision on the entry of the changed name, seat, address of the seat, 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 a 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 false;
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) A church or other religious community shall be terminated under the Act if it in fact ceases to pursue activities.

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

(4) Termination of a 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 a church or other religious community in the Republic of Slovenia or the supreme authority of a church or other religious community with an international legal personality who is competent for the matter under its autonomous rules.

### **Article 22**

(Religious Spiritual Care in the Army)

Members of the Slovenian army of both genders 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 spiritual care to policemen and policewomen, who wish so, in the circumstances that make the exercise of their religious freedom difficult. The organization of religious spiritual care and the manner of exercising this right in the police shall be regulated in detail by the minister responsible for internal affairs.

### **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 the Detained 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 previous paragraph of this Article shall be provided by the ministry responsible for justice.

(3) If there is a sufficiently large number of Detained Persons 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. (partially repealed)

(4) A Priest appointed and employed in accordance with the previous paragraph of this Article may perform his/her work undisturbed and may visit the Detained Persons of the respective religious belief without supervision at the appropriate time. (partially repealed)

(5) Any Detained Person should be allowed to take part in religious ceremonies 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 Detained 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 the Residents) shall have the right to a regular individual and collective religious spiritual care.

(2) If there is a sufficiently large 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 accordance with the regulations of the minister responsible for health. A Priest who is appointed and employed in this manner may perform his/her service undisturbed and visit the Residents of the respective religious belief at the appropriate times. (partially repealed)

(3) Religious spiritual care of the Residents in social welfare institutions performing institutional care who are unable to attend the ceremonies 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 welfare.

(4) Every Resident shall be provided with the opportunity, to the extent possible, to take part in religious ceremonies 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 worship service, other religious ceremonies and other gatherings and shall have the right to free access to them.

(2) In new urban areas, particularly in housing and residential areas, the drafting of spatial planning documents 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 documents shall estimate the need for religious buildings in their draft documents.

(3) Spatial planning documents referred to in the second paragraph of this Article, effective during the bringing into force of this Act,

shall be duly 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 documents refer.

### **Article 27**

(Right to Targeted 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 herein, 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 the right to the targeted 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 48% 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). This right cannot be obtained by religious Employees employed on the basis of Articles 22 to 25 hereof. (partially repealed)

(2) Priests and Monks shall be entitled to the targeted state financial support as referred to in the previous 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. The state may pay the financial support as referred to in the previous 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 other 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 and intended use of the funds shall be implemented by the Court of Audit of the Republic of Slovenia and other competent authorities.

(4) In providing the right as referred to in the previous 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 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 the respective 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 of 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 previous 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 Authority from the national budget and shall be paid to the account of the church or other religious community.

(2) On the request of the Competent Authority, 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 previous Article hereof. Churches and other religious communities shall keep the documents referring to obtaining the rights as referred to in the previous Article hereof for at least five years after the expiry of the year they refer to.

(3) The Competent Authority shall decide about the eligibility for the funds as referred to in the previous paragraph by a decision on the basis of an application 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 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 previous Article is paid for a particular month to the church or other religious community may be higher by no 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 previous 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 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 hereof have not obtained the rights as referred in the previous 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 no 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 AUTHORITY**

### **Article 30**

(Tasks of the Competent Authority)

(1) The Competent Authority shall perform the following tasks:

1. monitor the position 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 keep the 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. issue certificates on the legal personality of the Component 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 targeted 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 previous 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 of 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 area of activities of churches and other religious communities;
12. organize discussions and meetings with the representatives of registered churches and other religious communities;
13. co-operate with the ministries, other national and local authorities and organizations in solving the open issues 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 in 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 Component Parts shall be punished for an offence by a fine of SIT 150.000 to 300.000, if it:

1. uses in legal transactions a different name of the church or other religious community than

entered into the Register (item 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 Component Part that commits the offence from the previous paragraph of this Article shall be punished by a fine of SIT 100.000 to 150.000.

### **Article 32**

(Authority Monitoring Offences)

The Competent Authority shall be competent to monitor the implementation of this Act as a authority monitoring offences as defined in the previous 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 a legal person and shall be entered into the Register *ex officio* by the Competent Authority.

(2) Churches and other religious communities as referred to in the previous paragraph shall submit to the Competent Authority within three years of the bringing into force of this Act the data as referred to in item 3 of the second paragraph of Article 13 and documents as referred to in items 2, 3, 4 and 7 of Article 14 hereof. If a 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 targeted 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 targeted state financial support for a person for whom a religious community is asserting the right to the targeted state financial support as 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 bringing into force of this Act may be paid also after the bringing into force of this Act, regardless of fulfilment of the terms and

conditions set in the fourth and fifth paragraphs of Article 27 hereof and regardless of such person not meeting the terms and conditions set 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 (Official Gazette of the 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 of the bringing into force of this Act in accordance herewith and shall integrate into it the data on the already registered churches and other religious communities that it has at its disposal. The Competent Authority shall promptly enter the data from the second paragraph of the previous 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 (Official Gazette of the SRS, Nos. 15/76 and 42/86, and Official Gazette of the RS, Nos. 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 (Official Gazette of the SRS, Nos. 15/76 and 42/86, and Official Gazette of the RS, Nos. 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 (Official Gazette of the RS, No. 107/06 – 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 the Official Gazette

of the Republic of Slovenia and it shall begin to apply three months after its bringing into force, except for Article 27 of this Act that shall begin to apply on 1 January 2007.

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**Decision repealing the first paragraph of Article 13, points 1 and 5 of Article 14, and the third paragraph of Article 24 to the extent relevant to the employment of priests, the fourth paragraph of Article 24 to the extent relevant to an employed priest, the second paragraph of Article 25 and last sentence of the first paragraph of Article 27 of the Religious Freedom Act to the extent referring to Articles 24 and 25 of the Religious Freedom Act, including the period of deferment, and finding that Articles 24 and 25 in the part not covered in point 4 of the operative part of the decision, Articles 22, 23, 26, 30 and 32, the fifth paragraph of Article 27, and the third paragraph of Article 29 of the Religious Freedom Act, the third paragraph 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, with regard to the repeal of the first paragraph of Article 13, points 1 and 5 of Article 14, the third and fourth paragraphs of Article 24, the second paragraph of Article 25, and the last sentence of the first paragraph of Article 27 of the Act provides the following:**

"The repeal shall take effect one year after the publication of this decision in the Official Gazette of the Republic of Slovenia."

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**The Fiscal Balance Act (the ZUJF; Official Gazette of the Republic of Slovenia [Uradni list RS], No. 40/12) also provides the following:**

"PART V  
TRANSITIONAL AND FINAL PROVISIONS OF AMENDED ACTS AND PERMANENT  
AND TEMPORARY MEASURES

20. The Religious Freedom Act

Article 233

The competent authority shall, *ex officio*, issue new decisions determining the amount of assistance in accordance with the first paragraph of Article 27 of the Act.";

**and contains the following final provision:**

"PART VI  
FINAL PROVISION

Article 251  
(Entry into force)

This Act shall enter into force on the day following its publication in the Official Gazette of the Republic of Slovenia."

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**The Act Amending the Religious Freedom Act (the ZVS-A; Official Gazette of the Republic of Slovenia [Uradni list RS], No. 100/13) contains the following final provision:**

"FINAL PROVISION

Article 3

This Act shall enter into force on the fifteenth day following its publication in the Official Gazette of the Republic of Slovenia."