

GOVERNMENT

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SOCIALIST REPUBLIC OF VIETNAM

Independence – Freedom - Happiness

Hà Nội, 8th November 2012

DECREE

**On details and directive measures for the implementation of the
Ordinance on Religions and Belief**

*Based on the Law on the Organization of the Government dated on 25th
December 2001;*

*Based on the Ordinance on Belief and Religions dated on 18th June
2004;*

At the request by the Minister of Home Affairs,

*The government promulgated this decree on details and directive
measures for implementation of the Ordinance on Belief and Religions.*

Chapter I
GENERAL PROVISION

Article 1. Scope and objects of regulations

This decree provided regulations on religious activities; on religious organizations; on religious activities by believers, monks, religious officials and organizations; and responsibilities of state authorities in the management of activities belong to religions and beliefs.

Article 2. The right to freedom of religions and beliefs of citizens

The State of Socialist Republic of Viet Nam respect and ensure the right to freedom of beliefs and religions and the right of citizen to follow or not follow a religion, which no one shall violate.

Coercion to follow a religion or a leave a religion is prohibited, as prohibited acts of manipulation of freedom of beliefs and religions to undermine peace, independence and national unity; to incite violence or war, to conduct propaganda against the State's policy and law; to sow division among people, ethnic groups and religions; to steer public disorder, to do harm to other people's lives, health, dignity, honour and property, to hinder

the exercise of citizens' rights and duties; to conduct superstitious acts and to implement other acts which violate the law.

All organizations and individuals whose acts violate prevailing law and regulations on religions and beliefs shall be punished accordingly.

Chapter II **ACTIVITIES OF BELIEFS**

Article 3: Activities of beliefs at a place of worship

1. The community at a place of worship shall elect or appoint the representative or the management board of their place of worship, which belongs to the community.

The representative or members of the management board of the place of worship should be Vietnamese citizens with full legal capacity, who have good reputation among the community and who obey the law.

The representative or the management board of the place of worship shall have the responsibility to inform, in written form, with their full names, ages and residences, the People's Committee of the respective commune, ward or township (herein after referred to as Commune People's Committee) within 03 working days since the result of the election or appointment announced.

2. Before the 15th of October annually, the representative or the management of board of the place of worship should send to the Commune People's Committee a document to inform the Committee on proposed belief activities at the place in the following year. The document should include the name of the place of worship, organizers of activities and chairperson; estimated number of participants; activities, forms of conducts, and timing of these belief activities.

After 10 working days from the submission of such eligible document, if the Commune People's Committee does not have any instruction, activities informed by the above document could be conducted, except for those cases regulated by paragraph 5, Article 4 of this decree.

3. The representative or the management board of the place of worship shall have legal responsibilities for belief activities conducted at their place.

Participants of belief activities are responsible for following codes of conducts for civilized lifestyles, obey the law and follow regulations by the place of worship.

4. Paragraphs 1 and 2 of this article do not apply for those places of worship which are family and kinship' worshipping halls.

Article 4. Religious festival and organisation of festivals.

1. Religious festival are forms of organized activities, in order to pay respects for, to memorise or to appreciate people who rendered great services to the country or the community, to worship ones' ancestors, to worship traditional symbols, and other folklore belief activities which represent fine values of history, culture and social and moral values.

2. Those following festivals of beliefs need approval by the Provincial People's Committee or the People's Committee of Cities, which belong to the Central Government (herein after referred to as the Provincial People's Committee) where the festival is organized:

- a) Festivals to be held for the first time;
- b) Festivals of beliefs, which are revitalized after years of interruption;
- c) Festivals of beliefs, which are organized periodically but having changes of contents, activities, timing and location in comparison to the previous term.

3. For those festivals subjected to regulations at paragraph 2 of this article, the representative is responsible for the submission of an application to the Provincial People's Committee.

The application includes:

- a) An application letter for organizing the festival. The letter should include the name of the festival, its historical origin, scope of ceremony, timing, location, agenda and activities of the festival. For those festival subjected to paragraph 2(c) of this article, the letter is not required to repeat the historical origin of the festival;
- b) A list of organizers.

4. The Provincial People's Committee is responsible to provide a written answer to the application within 20 working days since the receipt of the eligible application; in case the application is rejected, the answer should provide the reason of the rejection.

5. For those festival not subjected to paragraph 2 of this article, at 15 working days before the festival is held, the organizer should inform the Commune People's Committee by written on timing, location, activities, and forms of organizing the festival, together with a list of organizers. In the event

of natural disaster, epidemic or for security and public order, if the organization of a festival could have negative impact on the local social life, the Commune People's Committee shall make decision on whether the festival should be held.

Chapter III RELIGIOUS ORGANISATION

Section 1 REGISTRATION OF RELIGIOUS ACTIVITIES; REGISTRATION OF OPERATION AND RECOGNITION OF RELIGIOUS ORGANISATION

Article 5. Registration of religious activities

1. Citizens who have needs of gathering for exercises of their religious activities, worship and expressions of their religious beliefs should appoint a representative to submit an application of religious activities at Commune People's Committee.

2. Application and timeframe for response:

a) The application of religious activities should list the name of the religion, its mission and objectives, full name of the representative and his/her residence, activities and forms of organizing activities, location, time, and number of participants by the date of registration;

b) The Commune People's Committee is responsible to provide an answer in written form within 15 working days since the receipt of the application. If the application is rejected, the reason for rejection should be provided.

3. Conditions of acceptance for religious activities:

a) The mission, objective and activities of the religious do not violate provisions in paragraph 2, Article 8 and Article 15 of the Ordinance on Beliefs and Religions;

b) Have a legal place for religious exercises;

c) The representative should be a Vietnamese citizen, with full legal capacity, obey the laws and regulations, have proven competences of solidarity and people's harmonization.

Article 6. Registration of religious operation

1. In order to be registered for religious operation, the organization must satisfy all of the following conditions:

a) Having been steadily conducted religious activities for more than 20 years since the Commune People's Committee granted the consent, without any violation of provisions of paragraph 2, Article 8 and Article 15 of the Ordinance of Beliefs and Religions;

b) Being an organization of people who share the same belief; have its own tenets, canons and procedures, charter and exercises closely held with the peoples of Viet Nam and are not against fine traditions and customs as well as legal regulations;

c) Does not belong to any religious organization, which has been recognized by the authority;

d) The name of the religious organization should not be the same as of any existing names of those religious organizations recognized by the authority; or with national heroes;

) Have a legal location for religious operation;

e) Have a representative who is a Vietnamese citizen with full legal capacity, have a good reputation in the organization and who obeys the laws and regulations.

2. An organisation meets all conditions listed in paragraph 1 of this article, if in need for registration of religious operation, is responsible for submitting an application to the authority as regulated in paragraph 3 of this article.

The application should include:

a) An application for religious operation, which stipulates name of the religion, name of the organization, full name of the representative and his/her residence, the origin and development of the religion in Viet Nam, its mission and principles, structure of organization, scope of operation and projected location for its head quarter;

b) Tenets, principles and procedures;

c) A list of expected representatives of the organization, certified by the Commune People's Committee of their residency;

d) Number of believers.

3. Authority of registration and time frame of response:

a) Within 45 working days since the receipt of application for operation registration, the central authority for management of religions is responsible for granting registration for organization with scope of operation in multi-provinces and cities belong to the central government; If the application for registration is rejected, the authority should provide a written answer stated reason for rejection;

b) Within 30 working days since the receipt of eligible application for registration, the provincial authority for management of religions is responsible for granting registration for an organization whose scope of operation is mainly within the province or a city belong to the central government; if the application is rejected, the state authority should provide a written answer stated reason for rejection;

Article 7. Religious operation of the organization after being registered.

1. A registered religious organization can:

a) Organise religious ceremony, procedures, missionaries and services at the registered location of the religious activities;

b) Organise summit to adopt its charter, codes and related contents before submitting for recognition by the government authority;

c) Elect and appoint the leader of the organization; open training class of tenets;

d) Repair, improve and upgrade infrastructure of the religious facilities;

) Conduct charity work.

2. When conducting religious activities subjected to paragraph 1 of this article, the organization must follow regulations in this decree and other related laws and regulations.

Article 8. Recognition of religious organisations

1. After three years since the registration of the religious organization granted, organizations with continuous religious operation without any violation of this decree and satisfy conditions provided by paragraph 1, Article 16 of the Ordinance on Beliefs and Religions are eligible to request authorities to recognize the religious organization.

2. The eligible organization is responsible for submitting an application to the state authority as provided by paragraph 2, Article 16 of the Ordinance on Beliefs and Religions.

The application should include:

a) A letter of request for recognition of the religious organization, which states the name of the religions, the name of the organization which made the request, international name (if applicable), full name of the representative of the organization, the number of believers, the scope of operation at the time of request, structure of organization and the headquarter of the organization;

b) A report that summarises the process of the operation of the organization since its registration granted;

c) Tenets, Principles, and procedures;

d) Charter and regulations of the organization.

3. Authority to recognize and timeframe to respond:

a) Within 45 working days since the receipt of the eligible application, the Prime Minister should consider the recognition of the religious organization following paragraph 2(a), Article 16 of the Ordinance on Beliefs and Religions; if the application is rejected, the rejection should be made in written form and state reasons for such rejection;

b) Within 30 working days since the receipt of an eligible application, the Chairperson of the Provincial Peoples' Committee should consider the recognition of the religious organization following paragraph 2(b) article 16 of the Ordinance on Beliefs and Religions; if the application is rejected, the rejection should be made in written form and state reasons for such rejection.

4. Organisations registered for 03 years, whose operation had violated provisions by article 15 of the Ordinance on Beliefs and Religions are not eligible for consideration of recognition of religious organization. In order to be considered for recognition, the organization is responsible for re-registration following article 6 of this decree. After one year since the issuance of its registration, without any violation of laws and regulations, the organization is eligible to submit a request to the State authority for recognition of a religious organization.

Section 2

ESTABLISHMENT, SEGREGATION, DIVISION, MERGING AND UNIFYING SUBORDINATE RELIGIOUS ORGANISATIONS

Article 9. Conditions for establishment, segregation, division, merging and unification of subordinate religious organizations

1. The establishment of subordinate religious organizations must satisfy those following conditions:

- a) Following a written request by the religious organization.
- b) The subordinate organization must belong to the system of the religious organization recognized by the State;
- c) The number of believers in the locality meets the provision by the charter or regulation of the religious organization.

2. The division or separation of subordinate religious organizations must meet those conditions:

- a) Follow a written request by the religious organization;
- b) The subordinate organization, after the division or separation still belongs to the system of the religious organization recognized by the State.
- c) The number of believers of the subordinate religious organization is overcrowded, the organization is operating in a large scope, which resulted in difficulties for organizing religious activities.

3. The merging or unification of subordinate religious organizations must meet those following conditions:

- a) Follow a written request by the religious organization;
- b) The merged or unified organization remains belonging to the system of the religious structure recognized by the State.

Article 10. Procedures to establish, divide, separate, merge or unify subordinate religious organizations

1. Religious organizations at the stage of establishing, dividing, separating, merging or unifying should submit a written request to the governmental agencies authorized at paragraph 2 of this article. The request to establish, divide, separate, merge or unify subordinate religious organizations should clearly state these following contents:

- a) The name of the religious organization to be established; the name of the original religious organization before division, separation, merging or unifying, and the name of the religious organization after division, separation, merging or unifying;

- b) Reasons for establishment, division, separation, merging or unifying;

c) A list of anticipated representatives of the subordinate religious organization after the establishment, division, separation, merging or unifying;

d) Number of believers at the establishment of the organization; number of believers before and after the division, separation, merging or unifying;

) Scope of religious activities;

e) Anticipated location of the headquarters of the organization.

2. Authority of the decision and timeframe for the response:

a) Within 30 working days since the receipt of the eligible request, the Prime Minister shall take consideration, make a decision at the request and answer the religious organization by written form following paragraph 3, Article 17 of the Ordinance on Beliefs and Religions; if the request is rejected, the answer in written form should include reasons for such rejection;

b) Within 20 working days since the receipt of eligible request, the Provincial level Peoples' Committee should take consideration, make a decision at the request and answer the religious organization by written form following paragraph 2, Article 17 of the Ordinance on Beliefs and Religions; if the request is rejected, the answer in written form should include reasons for such rejection.

Article 11. Stamps of religious organizations

Religious organizations and its subordinate organizations, which are recognized by governmental authorities, are allowed to use stamps in accordance with laws and regulations.

Section 3

REGISTRATION OF RELIGIOUS CONGREGATIONS, ORDERS, MONASTERIES, AND OTHER COLLECTIVE FORMS OF RELIGIOUS PRACTICES

Article 12. Registration of religious congregations

1. Celebrant teams among a congregation, established by religious organizations to serve religious practices, include: teams of musicians (brass players or drummers), flower arrangement team, choirs, funeral service team, communion children associations and other similar form of organized groups do not have to register their operation with the governmental authority.

2. For other religious organized groups of congregators that are not subjected to paragraph 1 of this article, the religious organization which

finds the congregation group is responsible for submitting an application for registration to those governmental agencies authorized by Paragraph 2, Article 19 of the Ordinance on Beliefs and Religions.

The application should include:

a) A letter of application for registration, which specifies the name of the religious organization which submits the registration, the name of the organized group of congregators, and names of individuals who are responsible for the group's activities;

b) A list of members of the organized group of congregators;

c) Regulations, charter or code of conducts for the operation of the organized group of congregators, in which listed its objectives, structure of organization and management.

3. Relevant governmental authorities, within 15 working days for religious organized groups of congregators which have scope of operation within one district or township or city in one province; 20 working days for religious organized groups of congregators which have scope of operation within multi-districts or townships or cities belong to one province; 30 working days for religious organized groups of congregators which have scope of operation within multi-provinces or cities belong to the central government, as prescribed at paragraph 2, Article 19 of the Ordinance on Beliefs and Religions, are responsible to issue the registration for the respective group; if the application for registration is rejected, the relevant agency should provide a written document explains the reason for rejection.

Article 13. Registration of religious order, monasteries and other collective forms of religious practices

1. The leader of a religious order, a monastery or other collective forms of religious practices is responsible for submitting an application to the relevant governmental authority provided by paragraph 2, Article 19 of the Ordinance on Beliefs and Religions.

The application should include:

a) A letter of registration, which specifies the name of the religious order, monastery or other collective forms of religious practices, its location of office, the full name of the head of the religious order or monastery or other collective forms of religious practices;

b) A list of monks;

c) Regulation, principles or charter which specifies its mission, objectives, structure of organisation and management, infrastructure, social activities, international relations (if applicable) of the religious order, monastery or other collective forms of organised religious practices;

d) A list of campuses belong to the religious order, monastery or any other collective form of religious practices, which is certified by the Commune People's Committee on the status of the organisation and its operation.

2. Relevant governmental authorities, within 15 working days for religious orders, monasteries or any other collective forms of religious practices which have scope of operation within one district or township or city in one province; 20 working days for religious orders, monasteries or any other collective forms of religious practices which have scope of operation within multi-districts or townships or cities belong to one province; 30 working days for religious orders, monasteries or any other collective forms of religious practices which have scope of operation within multi-provinces or cities belong to the central government, as prescribed at paragraph 2, Article 19 of the Ordinance on Beliefs and Religions, are responsible to issue the registration for the respective religious order, monastery or any other collective form of religious practices; if the application for registration is rejected, the relevant agency should provide a written document explains the reason for rejection.

Section 4

ESTABLISHMENT, MANAGEMENT AND DISMISSAL OF SCHOOLS AND OPENING TRAINING CLASSES FOR RELIGIOUS OFFICIALS

Article 14. Establishment of schools for religious officials

1. A legally recognised religious organisation, which establishes a school for training of religious officials, is responsible for submitting an application to the Prime Minister.

The application should include:

a) A letter of request for the establishment of the school;

b) A project for school establishment, in which clearly stated the religious organisation which submits the application, needs to have the school established, the name of the school to be established, the anticipated location of the school enclosed with documentation on land tenure, infrastructure, financial capacity, objectives, functions, scope, curriculum, contents of teaching, draft of regulations, draft procedures for admissions, the estimated number of students admitted, anticipated board of principles or board of

directors (in general referred to as Board of directors), attached a list of anticipated lecturers.

2. Within the curriculum, subjects of Vietnamese history and Vietnamese legal framework are compulsory.

3. Within 30 working days since the receipt of an eligible application, the Prime Minister should decide on the application and issue a written answer to the religious organisation; in case the application is rejected, the decision should be delivered in written form with reasons for rejection.

Article 15. Management of schools for religious officials.

1. Before recruiting students, the board of directors of the school should send a written document to inform the central governmental authority on religious management on the anticipated admission. The document should state clearly the number of students to be admitted and conditions of admission.

After 15 working days since the submission of an eligible application, unless otherwise the central governmental authority on religious management has a different opinion, the school is allowed to conduct its admission as per informed in the submitted document.

2. Vietnamese citizens attending schools for religious officials shall be people with full legal capacity and fully obey the laws and regulations.

3. Responsibilities of the governmental authority :

a) The Provincial People's Committees are responsible for administrative management of schools for religious officials in their respective province;

b) The Ministry of Education and Training chairs the provision of guidelines for curriculum and contents and monitoring the teaching of subjects on Vietnamese history and Vietnamese legal framework, in collaboration with the Ministry of Justice, Ministry of Home Affairs and other relevant agencies, in accordance with laws and regulations.

Article 16. Foreign attendants in Vietnamese schools for religious officials

1. Foreign attendants in Vietnamese schools for religious officials must conform regulations on immigration and other relevant law and regulations; they must have to be admitted by the relevant school, which shall proceed required procedures to request the central governmental authority on religious management for final decision of admission.

The school's Board of Directors is responsible for submitting foreign applicant's application to the central governmental authority on religious management.

This application should include:

a) A written request by the school for the admission of the foreign applicant, in which specified the name of the school, full name of the applicant, nationality, reason and duration of study term;

b) A copy of the foreign applicant's passport, which is translated to Vietnamese language and certified;

c) Relevant documentations required by admission criteria.

2. Within 25 working days since the receipt of an eligible application, the central governmental authority in religious management is responsible for providing a written response; if the application is rejected, the reasons for rejection should be provided.

3. During the term of study, foreign attendants who conduct any religious operation in Viet Nam must conform those provisions of Articles 37, 39, 40 and 41 of this decree.

Article 17. Dismissal of schools for religious officials

1. A religious organisation in needs of dismissing a school of religious officials is responsible for informing the Prime Minister by a document which state specified the reason for dismissal and measures of dismissal.

Within 15 working days since the receipt of an eligible document informing the dismissal, the Prime Minister shall give a written comment on the dismissal.

2. Land and property of the dismissed school should be handled following prevailing laws and regulations.

Article 18. Opening training classes for religious officials

1. Religious organisations in need for opening training classes for religious officials are responsible for sending a written request to the Chairperson of the Provincial People's Committee where the class is planned to open. The request should state clearly the name of the class, location, reasons for opening such class, timeframe, contents, curriculum, attendants and a list of lectures.

2. Within 15 working days since the receipt of an eligible application, the Chairperson of the Provincial People's Committee is responsible for

providing a written response; if the application is rejected, reasons for rejection should be provided.

Section 5
BESTOWAL OF RELIGIOUS TITLES,
APPOINTMENT, ELECTION, NOMINATION AND DISCHARGE OF
RELIGIOUS TITLES

Article 19. Registration of appointed, elected and nominated religious titles.

1. Religious organisations which can conduct bestowal, appointment, election, nomination for religious titles include: memberships to the Buddhist Sangha Council and Executive Council and the bestowal of titles of Most Venerable, Venerable, Superior Nun and Senior Nun; memberships to the Catholic Church's Episcopal Council Standing Board as well as Heads of Episcopal Council subordinate Committees, and the bestowal of the title of Cardinal and the appointment of archbishops, coadjutor archbishops, bishops, coadjutor bishops, auxiliary bishops, administrators, heads of the Catholic orders; memberships to the central Management Board of the Protestant Church; memberships to the Cao Dai Holy See's Management Council, Church Council, and Executive Council, archbishops and the equivalent titles; memberships to the Hoa Hao Buddhism's Central Management Council and those who hold equivalent positions of the other religious organizations; heads of schools to train religious officials are responsible for sending a registration to the central governmental authority for religious management.

2. For those cases not subjected to paragraph 1 of this Article, religious organisations, which conduct the bestowal, appointment, and nomination of a religious title are responsible for sending a registration to the relevant Provincial People's Committee where the incumbent has been registered for religious operation.

3. The respective registration of the religious organisations should state clearly the full name, title, position, scope of responsibility and a summary of religious activities of the registered incumbent.

4. Timeframe for response:

a) Within 20 working days since the submission of an eligible registration, for those cases subjected to paragraph 1 of this article, unless otherwise the central governmental authority for religious management

expresses a different opinion, the bestowed, appointed, elected or nominated incumbent can start the religious functions as per registration;

b) After 10 working days since the receipt of the eligible registration, for those cases subjected to paragraph 2 of this article, unless otherwise the relevant Provincial People's Committee expressed a different opinion, the bestowed, appointed, elected or nominated incumbent can start the religious functions as per registration.

Article 20. The bestowal, appointment, election and nomination of religious title involving foreign factors.

1. Any bestowal, appointment, election and nomination which involve foreign factors must seek a written consent from the central governmental authority for religious management.

Religious organisations in Viet Nam which have members subjected to bestowal, appointment, election and nomination which involve foreign factors are responsible for sending a written request to the central governmental authority for religious management. Such request should state clearly the name of the relevant religious organisation which made the request, reason for the request, full name, religious title, position, scope of responsibility and a summary of religious activities of the incumbent.

2. Within 60 working days since the receipt of an eligible written request, the central governmental authority for religious management is responsible for providing a written response; if the application is rejected, reasons for rejection should be provided.

3. In case the bestowal, appointment, election or nomination of a Vietnamese citizen involving foreign relations has not yet received the consent by the central governmental authority for religious management, the incumbent is not allowed to use the designated title in his or her religious activities in Viet Nam.

Article 21. Notification on the discharge of a religious official

Religious organisations when discharge or release a religious official from appointment are responsible for sending a written notification to the relevant governmental authority provided at paragraphs 1 and 2, Article 19 in this decree. The notification should state clearly reasons for discharge or release from the religious title, enclosed by the documentation of the respective religious organisation on the discharge or release.

**Section 6
TRANSFER OF RELIGIOUS OFFICIALS OR MONKS**

Article 22. Notification on the transfer of religious officials or monks

1. Religious organisations when transfer their religious officials or monks from one location to the other are responsible for sending a written notification to the district, city or township's People's Committee that belong to province (herein after referred to as district level People's Committee) where the incumbent is leaving within 03 working days since the decision of transfer is made in written form.

2. The notification should state clearly the full name, religious title and position of the incumbent, reasons for transfer, and localities before and after the transfer is made.

Article 23. Registration of transfer of religious officials or monks.

1. Religious organisations are responsible for submitting an application for registration of transfer of religious officials or monks to the relevant district level People's Committee of the destination locality before the transfer is actually conducted.

The application for registration includes :

a) An application for registration, which specifies the full name, religious title and position of the transferred religious official, reasons for transfer, and localities of departure and destination;

b) Relevant documentations of the religious organisations on the transfer;

c) A resume of the incumbent certified by the respective Commune People's Committee whereby the incumbent resided.

2. After 15 working days since the submission of an eligible application, unless otherwise the district level People's Committee has a different opinion, the religious official or monk in transfer can start his or her religious activities in the new locality as per registration.

3. A religious official or monk with a record of administrative offense as per a decision by the chairperson of the Provincial level People's Committee, or a criminal offense record, before making any transfer of locality for religious activities, is responsible for submitting an application for registration to the Provincial People's Committee at the destination, following provision at paragraph 1 of this article.

Within 20 working days since the receipt of an eligible application, the relevant Provincial People's Committee is responsible for providing a written response; if the application is rejected, reasons for such rejection should be provided.

Chapter IV RELIGIOUS ACTIVITIES

Section 1 REGISTRATION OF THE ANNUAL PLAN FOR RELIGIOUS ACTIVITIES OF THE LOCAL RELIGIOUS ORGANISATIONS

Article 24. Registration of the annual plan for religious activities of the local religious organisations

1. Before the 15th October annually, the person in charge of the local religious organisations is responsible for sending a registration of the annual plan of religious activities of the following year to the relevant Commune People's Committee. The registration should state clearly the organiser(s) of religious activities, anticipated number of participants, contents of activities and timeframe of activities.

2. After 15 working days since the submission of an eligible registration, unless otherwise the Commune People's Committee has a different opinion, the local religious organisations can implement its activities as per the registered plan.

Article 25. Religious activities beyond registered plan of the local religious organisation

1. Religious activities beyond the registered annual plan, which are not subjected to provision of Articles 18 and 25 of the Ordinance on Beliefs, are subjected to those following provisions:

a) For religious activities attended by believers from other districts, towns or cities belong to the same province or from other provinces, the relevant local religious organisation must seek a consent by the Provincial People's Committee whereby the religious activity will take place;

b) For religious activities attended by believers from districts, towns or cities belonging to the province, the relevant local religious organisation must seek a consent by the district level People's Committee whereby the religious activity will take place.

2. Local religious organisations are responsible for sending a written request to the governmental authority provided at paragraphs 1(a) and 1(b) of this article, which specifies the name of the religious activity to be conducted, organisers, anticipated number of participants, contents of activities, timeframe, location of the activities, and conditions for the activity to take place.

3. Within 15 working days since the receipt of an eligible written request, the respective governmental authority provided at paragraphs 1(a) and 1(b) of this article is responsible for providing a written response; if the application is rejected, reasons for rejection should be provided.

Section 2 REGISTRATION OF NOVICES

Article 26. Registration of novices

1. The person in charge of the local religious organisation is responsible to sending a registration documentation of novices to the Commune People's Committee whereby the respective organisation is located within 03 working days since the admission of the novice.

2. The documentation includes:

a) A list of novices;

b) A resume of the admitted novice certified by the Commune People's Committee whereby the novice resided.

c) A written consent by the novice's parents or legal guardian (for adolescent or child novices).

Section 3 CONGRESSES AND CONFERENCES OF RELIGIOUS ORGANISATIONS

Article 27. Congresses and conferences of local religious organisations

1. Local religious organisations organise annual congress or conference are responsible for sending an application to the district level People's Committee whereby the event will take place.

The application includes:

a) A written request, in which specified the name of the relevant religious organisation, reasons for organising the congress or conference, anticipated participants, contents, agenda, timeframe and location of the event;

b) A report of activities by the local religious organisation.

2. Within 05 working days since the receipt of an eligible application, the district level People's Committee is responsible for providing a written response; if the application is rejected, reasons for rejection should be provided.

Article 28. Central congresses or conferences or summits of religious organisations

1. Religious organisations operates in multi-provinces or cities belonging to the central government which plan to organise an annual conference, a congress or summits are responsible for sending an application to the central governmental authority for religious management.

The application includes:

a) A written request, which specifies the name of the religious organisation, reason for organising the conference or congress, anticipated participants, contents, agenda, timeframe and location of the conference or congress;

b) A report of activities by the religious organisation;

c) A draft of the charter, regulation or revised charter or regulation (if applicable).

2. Within 20 working days since the receipt of an eligible application, the central governmental authority for religious management is responsible for providing a written response; if the application is rejected, reasons for rejection should be provided.

Article 29. Conferences or congress of religious organisations not subjected to article 27 and 28 of this decree

1. For those annual conferences or congresses of religious organisations which is not subjected to provisions by articles 27 and 28 of this decree, religious organisations are responsible to send an application to the relevant Provincial People's Committee whereby the conference or congress will take place.

The application include:

a) A written request, which specifies the name of the religious organisation, reason for organising the conference or congress, anticipated participants, contents, agenda, timeframe and location of the conference or congress;

b) A report of activities by the religious organisation;

c) A draft of the charter, regulation or revised charter or regulation (if applicable).

2. Within 10 working days since the receipt of an eligible application, the relevant Provincial People's Committee is responsible for providing a written response; if the application is rejected, reasons for rejection should be provided.

Article 30. Registration for revised charter or regulations

1. When undertaking a revision of a religious organisation's charter or regulation, the organisation is responsible to send a registration attached by the revised charter or regulation to the governmental authority under provisions of paragraph 1, Article 28 and paragraph, 1 Article 29 of this decree. The registration should state clearly the name of the religious organisation, the representative of the organisation, reasons and contents of the revision of its charter or regulations.

2. Within 07 working days since the receipt of the revised charter or regulations, relevant governmental authorities are responsible for providing a written response; if the registration is rejected, reasons for rejection should be provided.

3. Religious organisations can operate following their charter or regulations once the charter or regulation has been accepted by the governmental authority.

Section 4

SERVICES, SERMONS, MISSIONARY SERMONS BY RELIGIOUS ORGANISATIONS, RELIGIOUS OFFICIALS AND MONKS OUTSIDE RELIGIOUS FACILITIES

Article 31. Religious services of religious organisations organised outside religious facilities

1. A religious organisation organises a service outside religious facilities with participants from within a district, a town or city belong to a province is responsible for submitting an application to the district level People's Committee. The application should state clearly the name of the service, the person in charge of the service, contents, agenda, timeframe, location, scope of the event and participants of the service.

Within 10 working days since the receipt of an eligible written request, the respective district level People's Committee is responsible for providing a written response; if the application is rejected, reasons for rejection should be provided.

2. Regarding the conduct of religious services or rituals outside of religious facility which will be attended by believers from many districts, towns or cities belong to a province, or from many provinces or cities belong to the central government, the relevant religious organisation is responsible for submitting a written request to the relevant Provincial People's Committee whereby the service will take place.

Within 15 working days since the receipt of an eligible written request, the relevant Provincial People's Committee is responsible for providing a written response; if the application is rejected, reasons for rejection should be provided.

Article 32. Religious sermons and missionary sermons by religious officials or monks outside religious facility

1. Religious officials or monks conduct sermons or missionary sermons outside religious facility are responsible for submitting an application to the district level People's Committee whereby the sermon is planned to take place.

The application includes:

a) A written request, which specifies reasons for conducting a religious sermon or missionary sermon outside a religious facility, contents, agenda, timeframe, location, organisers and participants;

b) A written consent by the subordinate religious organisations or by the religious organisation which the respective religious official or monk reports to.

2. Within 10 working days since the receipt of an eligible application, the district level People's Committee is responsible for providing a written response; if the application is rejected, reasons for rejection should be provided.

Section 5

RELIGIOUS ACTIVITIES BY RELIGIOUS OFFICIALS OR MONKS AT A RELIGIOUS FACILITY WHICH IS A RECOGNISED HISTORICAL – CULTURAL SITE OR LANDSCAPE.

Article 33. Activities by religious officials or monks at a religious facility which is a recognised historical – cultural site or landscape

1. Religious organisations have a religious facility which is a recognised historical – cultural site or landscape can appoint a religious official or monk

to take part in of the site's Management Board as the Board established by the governmental authority.

2. Religious officials or monks at a recognised historical – cultural site or landscape can conduct religious activities as per in other ordinary religious facilities.

3. Incomes from donations to the establishment and other incomes from organising festivals at a religious facility recognised historical – cultural site or landscape should be reported in the Management Board of the site. This income should be utilised to serve the management and maintenance of the site, religious activities, and to maintain an ordinary life for religious officials or monks living at the respective site.

Section 6

RENOVATION, UPGRADING, BUILDING NEW WORKS OF BELIEFS OR RELIGIOUS WORKS OR SUPPORTING FACILITIES IN RELIGIOUS FACILITIES

Article 34. Renovation, upgrading and building new works of belief or religious works and supporting facilities in the religious facility

1. Belief works include: communal temples, temples, shrines, hermitage, ancestral hall, kinship's worship places and other similar works.

2. Religious works include: office of religious organisations, pagodas, churches, chapels, chancels, sanctuary, mosque, statues, towers, and other similar works of religious organisations.

3. Supporting facilities are facilities not used for praying or worshipping in the religious facilities of the religious organisations, such as: hostel or housing, guest house, dining hall, kitchen, walls of the religious facility or religious organisations, and others similar infrastructure.

4. The renovation, upgrading or building new facilities following paragraphs 1, 2 and 3 of this article and other works of beliefs and religious works which are governmental-authority recognised historical – cultural site or landscapes should conform prevailing laws and regulations on construction and other relevant legal standards.

Article 35. Repairing, renovating or upgrading of religious or belief facilities are not required to apply for a permission of construction

The reparation, renovation or upgrading of those religious or belief facilities are not a historical, cultural site or landscape recognised by governmental authority, which would not result in changes in the architecture, structure or safety of the respective facility and its surroundings, are not required to apply for a permission of construction.

Before the reparation, renovation or upgrading work begins, the representative of the local religious organisation is responsible to send a notification to the local Commune People's Committee. The notification should specify reasons, timeframe, components of the constructions, scope of work and extent of reparation. The Commune People's Committee is responsible for checking and monitoring the conformation of the local religious organisation on prevailing laws and regulations.

Section 7
FUNDRAISING BY RELIGIOUS ORGANISATIONS OR
ORGANISATIONS FOR BELIEFS

Article 36. Fundraising by religious organisations or organisations for beliefs

1. Local religious organisations or organisations for beliefs are responsible for sending a notification of fundraising activity to the relevant governmental authority provided by paragraph 2 of this article on the plan for fundraising. The notification should specify the objective, scope, measures, timeframe, management structure of the fundraising, and the plan for using donations.

2. Governmental authorities which can accept notification about fundraising of religious organisations:

a) If the fundraising is conducted within a commune, the religious organisation should notify the Commune People's Committee where the fundraising will take place;

b) If the fundraising is conducted in more than one commune but within a district, the religious organisation should notify the respective district level People's Committee where the fundraising will take place;

c) If the fundraising is conducted in more than one district, the religious organisation should notify the respective Provincial People's Committee where the fundraising will take place.

3. Within 03 working days for those cases subjected to paragraph 2(a) of this article; 05 working days for those cases subjected to paragraph 2(b) of this article; 07 working days for those cases subjected to paragraph 2(c) of this article, the relevant governmental authority provided at paragraph 2 of this article is responsible for providing a written response and monitor the implementation per the notified fundraising plan; if the fundraising plan is rejected, reasons for rejection should be provided.

4. Organisations for beliefs and religious organisations which call for donations must ensure publicity and transparency of donations and the use of

these donations; organisations are not allowed to manipulate the status and reputation of a religious organisation to call for donations for personal benefits, or for illegal purposes.

5. The receipt, management and use of donations involving foreign relations should conform prevailing laws and regulations.

Section 8
**INTERNATIONAL RELATIONS BY RELIGIOUS ORGANISATIONS,
BELIEVERS, MONKS AND RELIGIOUS OFFICIALS**

Article 37. Invitation of foreign organisations or individuals to Viet Nam

1. Religious organisations, believers, monks or religious officials who extend an invitation of foreign organisations or individuals to Viet Nam to conduct religions-related international activities are responsible to submit an application to the central governmental authority for religious management.

The application includes:

a) A written request, which specify the name of the host organisation or individual, purposes and contents of cooperation activities, list of invitees, tentative agenda, timeframe and location of activities;

b) A summary of activities by the visiting foreign organisation or individuals.

2. Within 25 working days since the receipt of an eligible application, the central governmental authority for religious management is responsible for providing a written response; if the application is rejected, reasons for rejection should be provided.

Article 38. Participation in the religious activities and religious training abroad

1. Religious organisations or individuals take part in religious activities or religious training abroad are responsible to submit an application to the central governmental authority for religious management.

The application includes:

a) A written request, which specify the purpose, agenda, timeframe and location of religious activities or religious training abroad which the organisation or individuals from Viet Nam are invited to attend;

b) An invitation to take part in the religious activity or training, or the letter of acceptance issued by the individual or organisation abroad;

c) A letter of acceptance by the hosting religious organisation which the invited organisation or individuals reports to.

2. Within 25 working days since the receipt of an eligible application, the central governmental authority for religious management is responsible for providing a written response; if the application is rejected, reasons for rejection should be provided.

3. Upon the completion of the religious training course abroad if the religious officials, monks, believers are bestowed, appointed, elected, or nominated by the foreign religious organisation, the incumbent's original religious organisation is responsible for registration with the governmental authorities as provided by article 19 of this decree.

Article 39. Preaching by foreign religious officials and monks in Viet Nam

1. Religious organisations which invite foreign religious officials or monks to preach in a Vietnamese religious establishment are responsible for submitting a written request to the central governmental authority for religious management. The request should specify name of the religious official or monk, nationality, name of the foreign religious organisation, agenda, contents, timeframe and location, organisers and participants of the sermon.

2. Within 25 working days since the receipt of the request, the central governmental authority for religious management is responsible for providing a written response; if the application is rejected, reasons for rejection should be provided.

Article 40. Religious activities of foreigners in Viet Nam

1. Foreigners with legal migration status in Viet Nam are provided with favourable conditions to participate in religious activities in religious facilities as that of Vietnamese believers.

2. Foreigners wishes to gather for religious activities at legal religious facilities in Viet Nam are responsible to submit an application to the relevant Provincial People's Committee.

The application includes:

a) A written request for religious activity, which specifies the full name, nationality and religion of the representative; reason, timeframe, number of participants, and the religious facility anticipated for the activity;

b) A certified copy of the legal residential documentation in Viet Nam of the representative;

c) A written consent of the legal local religious organisation whereby the group of foreigners plan to conduct their religious activity.

3. Within 25 working days since the receipt of an eligible application, the relevant Provincial People's Committee is responsible for providing a written response; if the application is rejected, reasons for rejection should be provided.

4. Foreigners conducting religious activities in Viet Nam must conform those provisions of this decree and other related laws and regulations.

Article 41. Religion-related immigrations

When implementing provisions of Articles 37, 38, 39 and Article 40 of this decree, religious organisations, believers, monks and religious officials must conform prevailing laws and regulations on immigrations.

Chapter V IMPLEMENTATION

Article 42. Responsibilities of the Ministry of Home Affairs and other related agencies

1. The Ministry of Home Affairs has main responsibility, in collaboration with other related ministries and sectors, to guide the implementation of this decree.

2. During the course of implementation of the Ordinance on Beliefs and Religions and this decree, for those cases subjected to the authority of the Prime Minister, the Ministry of Home Affairs is responsible for receiving applications and submissions, has main responsibility to collaborate with other relevant ministries, sectors and localities to review received communications for the decision by the Prime Minister. For those cases subjected to the authority of People's Committees, the governmental authority for religious management at the respective level shall receive applications and communications and collaborate with other related agencies to consider and review these documentations to submit to the Chairperson of the relevant People's Committee to make a final decision.

3. The Ministry of Culture, Sports and Tourism, the Ministry of Education and Training, the Ministry of Construction, the Ministry of Natural Resources and Environment, by their own functions, responsibilities and authorities, to collaborate with the Ministry of Home Affairs to support the Government in taking implementation measures on religious management, religious festivals; the learning subject of Vietnamese history; Vietnamese legal framework; construction of religious facilities and facilities of beliefs; land management related to religions and beliefs.

Article 43. Receipt of applications and communications

1. Organisations and individuals, when implementing the Ordinance on Beliefs and Religions and this Decree, are responsible for submit a copy of their documentation to the relevant governmental authority in person or via post mail.

2. At the receipt of an eligible documentation, the relevant governmental authority must issue a receipt of documentation which specifies the date of announcing the result. The receipt of documentation should be made in 02 copies, one copy shall be given to the applicant, the other copy shall be kept at the relevant governmental authority. In case the submitted documentation is not eligible, the relevant governmental authority is responsible for providing explanations and guidance for the applicant organisation or individuals to follow the procedure. Duration spent on supplementing or finalising the documentation is not counted in the required duration for providing the agency's response.

Article 44. Transitioning implementation

1. Religious organisations which have been issued with a legal registration for religious operation or recognised organisations following the Decree 22/2005/N -CP dated 01st March 2005 of the Government on guidance to implement a number of articles of the Ordinance on Beliefs and Religions are not required to re-enter procedures of registration or recognition by this Decree.

2. Order, Congregations, monasteries, and other collective forms of religious practices which have been issued with legal registration following the Decree 22/2005/N -CP dated 01st March 2005 of the Government on guidance to implement a number of articles of the Ordinance on Beliefs and Religions are not required to re-enter procedures of registration by this Decree.

Article 45. Effect of provisions

This Decree comes into effect by 01st January 2013.

This Decree replaces the Decree 22/2005/N -CP dated 01st March 2005 of the Government on guidance to implement a number of articles of the Ordinance on Beliefs and Religions

Article 46. Responsibility for Implementation

Ministers, Head of Ministry-level agencies, Head of governmental agencies, Chairpersons of provinces and cities belong to the Central Government are responsible for the implementation of this Decree.

Attention:

- The Poli-bureau of the Party;
- Prime Minister, Deputy Prime Ministers;
- Ministries, Ministry-level Agencies; Agencies belong to the Central Government;
- The Poli-bureau of the Party's Office for Anti-corruption and Corruption Prevention;
- People's Council and People's Committees of Provinces and Cities belong to the Central Government;
- Office of the Poli-bureau and Departments of the Party;
- Office of the General Secretary of the Party;
- Office of the President;
- Ethnicity Council and Committees of the National Assembly;
- Office of the National Assembly
- The Supreme Court;
- Supreme People's Procuracy;
- The National Committee for Financial Monitoring;
- Office of State Audit;
- Bank of Social Policies;
- Vietnam Development Bank;
- The Central Committee of Vietnamese Fatherland Front;
- The Central Office of Social – Political Organizations;
- Office of the Government: the Minister of the Office, Deputy Ministers; Assistants of the Prime Minister; Online Portal of the Government, line Departments, Official Gazette;
- Archive: Documentation, NC (3b), 300b

**ON BEHALF OF THE
GOVERNMENT
PRIME MINISTER**

(signed)

Nguy n T n D ng