

Statement to the Congressional-Executive Commission on China  
Roundtable on "**China's National and Local Regulations on Religion: Recent Developments in  
Legislation and Implementation.**"

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Changes in Religious Legislation  
as Seen Through the Promulgation and Amendment of the Regulation on Religious Affairs

## **I. Preface**

The State Council "Regulation on Religious Affairs" (Hereafter abridged as National RRA) was implemented March 1, 2005. This regulation replaces two prior regulations: the "Regulations Governing Religious Activities Sites" and the "Regulations Governing Religious Activities of Foreigners in China." The former was annulled after the comprehensive administrative law, the National RRA, took effect. The Standing Committee of the People's Congress in the following provinces and directly-administered municipalities amended and promulgated the "Regulation on Religious Affairs" (Hereafter abridged as Regional RRA) as regional regulations: Shanghai (April 21, 2005), Zhejiang (March 29, 2006), Anhui (June 29, 2006) and Beijing (July 28, 2006). Henan RRA was promulgated July 30, 2005 and enforced January 1, 2006; Shanxi RRA was promulgated July 29, 2005 and enforced October 1, 2005.

Before the promulgation of the National RRA, the various provincial RRA's were themselves comprehensive regional regulations, basically embracing all aspects of religious organizations, religious faculty, religious activities sites, religious publications, religious activities or external affairs, religious properties, legal liabilities, etc. Judging from a comparative observation of the textual framework and content, this article argues that the National RRA in its six year history of research, investigation, and promulgation, has absorbed in its legislative format and content certain religious legislation and enforcement from various provinces, and reached legislative definitions with a higher level of generalization and greater directness. In view of the fact that the administrative regulation is higher than regional regulations in terms of effect, and that the content of the latter must not contradict the former, therefore relevant provisions of the Regional RRA's must be amended to comply with the National RRA. Following is an analysis of the emphasis of the religious administrative legislation of China, based upon examples of changes in the content of the RRA provisions of Beijing, Zhejiang, and Shanghai before and after amendments.

## **II. Changes in the Beijing RRA before and after amendment**

Corresponding changes have been made in religious organizations, religious faculties, religious activities sites, religious publications, religious activities or external affairs, religious properties and legal liabilities. According to Article 8 Clause 1 of the National RRA, the Beijing RRA amended Article 9 Clause 1 as follows: Establishment of religious academies and schools will not be reported by the Municipal Government but by the Municipal Administration of Religious Affairs to the State Council Administration of Religious Affairs for approval.

Although Article 14 Clause 1 has removed the phrase "religious activities sites," the provision in Article 22 that "the collective religious activities of believers shall be conducted in religious activities sites," and the procedural design that cross-regional religious activities must be approved implies that the change does not mean "free" space, but merely more concise wording and rigidity of logic. This is also reflected in the changes in Article 14 Clause 2.

According to Article 18 of the National RRA, the Beijing RRA amended Article 20 to read: “Religious activities sites shall establish sound administrative organizations and regulations and accept the guidance, supervision and inspection of the Administrative Department of Religious Affairs and other departments concerned with the People’s local district or county government.” Although such wording as “annual inspections” have disappeared, the departments with the authority of “guidance, supervision and inspection” over religious activity sites have been expanded from “Administration of Religious Affairs” to all “departments concerned” in order to implement integrated supervision and control by the public security, state security, industrial and commercial, urban construction and other government departments.

According to Article 25 of the National RRA, Article 25 of the Beijing RRA has been amended the word “or” to “and” requiring that adding a new structure, building conversion or extension at a religious activity site must obtain prior approval from the administrative organization of the place, i.e., the local Administration of Religious Affairs, and undergo proper procedures. This amendment is intended to prevent evasion of control over religious buildings by the Administration of Religious Affairs. Yet this dual approval has already been regulated in Article 11 of the 1994 “Regulations Governing Places of Religious Activities,” and this Beijing amendment is only a correction of the mistake in the 2002 RRA.

According to Article 22 of the National RRA, Article 26 of the Beijing RRA has been amended to read as follows: Article 1: “Anyone who intends to organize a large-scale religious event that crosses provincial, autonomous regions, or directly-administered municipality boundaries and exceeds the capacity of the religious activity site, or if intends to hold a large-scale religious event outside of a religious activity site shall undergo application and approval procedures according to the State Council “Regulation on Religious Affairs.” Article 2: “Organizers of other types of large-scale religious events shall obtain consent from the religious group of the municipality and first report to the religious affairs department of the People's Government of the district or county in which the religious event is to be held. The Religious Affairs Department and other departments concerned with the People's Government of the district or county in which the religious event is to be held shall, in accordance with their respective official responsibilities, provide management as needed.” This type of amendment actually requires that not only large-scale religious events crossing provincial boundaries obtain approval from the provincial Administration of Religious Affairs (the County Administration of Religious Affairs has lost its authority of approval), but the local Administration of Religious Affairs, the Public Security Bureau, and even State Security will coordinate to provide supervision. As a result, this arrangement actually has strengthened control over large-scale religious events.

According to Article 32 of the National RRA, Article 34 of the Beijing RRA has been amended to prohibit the assignment, mortgaging, or use as an investment in kind of religious properties.

The amendments to Articles 47 and 48 of the previous regulation merely amount to adjustments in the format of expression regarding categorization of legal penalties: The essence has not changed, i.e., penalties are exercised on religious activities (setting up religious activities sites, establishment of religious academies and schools and training classes) in violation of the policy of “three fixes” of “fixed location,” “fixed personnel,” and “fixed section” that evade the regulatory order of administrative permission, including annulment or order to stop an activity, warning, seizure of illegal earnings, bulldozing of illegal buildings, administrative detention or fines. However, what is worth noticing is that this application of systematic penalties targeting the religious professional faculty—religious buildings—academies and schools (training classes)—donations—across region evangelization and location is the first time that the National RRA is cited as its basis.

### **III. Changes in the Zhejiang RRA before and after amendment**

The previous regulation of Zhejiang, like that of Beijing, had already set forth a clear definition of “religious affairs.” The amended RRA, in reference to Article 5 Clause 1 of the National RRA, has changed the definition to “Affairs that exist between religion and state, society and citizens, and involve state interests or social public welfare.” This formality has provided a plausible cause for regulating religion. However, “state interests,” “social public welfare,” or “public affairs” are all uncertain concepts. If the administrative authorities alone have the arbitative power to determine at will what constitutes “public interests” and use

administrative logic to govern “public affairs,” then the religious system may possibly fall into the system “pyramid” permissible by administrative orders and become one of its subsystems losing its religious independence and due functions.

Article 7 was added to the amended RRA to reflect the four duties of government at various levels in the regulation of religion: safeguarding rights, hearing, coordination, and guidance. Among these, “guiding religion to be in conformity with the socialist society” originates from the No.6 Directive jointly issued by the Central Committee of the Chinese Communist Party and the State Council on the requirement of “strengthening the Party’s leadership of religious work.” This Directive, against the background of the June 4, 1989 Incident and the dramatic transformation of Eastern Europe, signified the transition of religious policy from “soft” to “hard.”

Zhejiang, in its attempt to embody the legislative principle of Article 5 of the National RRA concerning the “united defense and coordinated regulation” of religious affairs by government administrative departments, takes a path similar to that of Shanghai but different to RRA from Beijing, has made more refined and specific provisions in its amendments. One example is the duty designed for such “self-governing organizations by the masses” as neighborhood committees and village committees to “assist the government in the administration of religion.” Against the background that Christian house churches in China refuse to register but worship in dispersed family gatherings, this type of system design extends the network of “united defense” against religion to the living quarters of citizens and enables stricter surveillance and more convenient regulation.

Article 11 Clause 2 of the amended Zhejiang RRA is a newly added clause which specifically sets forth terms and conditions of establishing religious training classes, amounting to virtual restrictions on the scale of training.

Article 17 of the amended Zhejiang RRA is similar to the previously mentioned Article 14 of Beijing RRA, only with more concise language. The newly added Article 19, i.e., “household movement” Article imposes one requirement and four procedures on the religious faculty moving into the province or within the province: employment in the province for three years or more, recommendations by religious groups, and approval by the administration of religious affairs of the county, the city (within the district), and the province. Although the Chinese Constitution does not prescribe “freedom of movement,” it does contain the clause “right of equality.” Why are there such strict requirements and cumbersome application approval procedures for the movement of religious faculty households? Where is the legislative cause to justify the restrictions on the right to move a religious faculty? Is religious evangelization presenting such an obvious threat or detriment to “public interests” that it warrants strict restricted freedom of movement of religious faculty engaged in evangelization? This unique, “innovative” clause of Zhejiang Province actually smacks of the most wanton violation of the Constitution.

The amended Zhejiang RRA sets down more detailed and concrete procedural specifications than before on the building of new structures, expansion, relocation, and construction of religious activity sites according to Articles 13 and 15 of the National RRA: Activity sites are divided into temples/churches and other fixed locations, and the approval procedures are classified as approval by the county, city (with districts), and provincial Administration of Religious Affairs. The terms of establishing religious activity sites not only requires approval of the administrative department in charge, but also entails review and approval from at least two levels, in contrast to places of commercial services which do not require approval from the Administration of Industry and Commerce at various levels. This procedural requirement imposes unreasonable prior restrictions on the right of religious freedom. The newly added Article 31 concerning the “construction of outdoor large religious statues” also requires gradual approval from the Administration of Religious Affairs of the city (with districts) and province.

Chapter 5 “religious activity” of the amended Zhejiang RRA differs from the previous regulation by setting forth an explicit separation between “collective religious activity” and “family religious life”. The “collective religious activity” is limited to those held in legally registered religious activity sites or those permitted by the Administration of Religious Affairs at the county level or above, thus correcting the ambiguity in the previous regulation. Although “family religious life” has been acknowledged, the scale of a family gathering has been regulated by the newly added restrictive clause of “not affecting normal daily life of others,” thus providing a pretext for outlawing house churches on the basis of “interfering in people’s lives” or “disturbing

public order,” etc.

The previous Zhejiang RRA (December 11, 1997) stipulated the clause on “abnormal religious activity” which was not found in the previous Beijing and Shanghai RRA’s to regulate cross-regional religious activity. Therefore, this paper argues that Article 22 Clause 1 of the National RRA (March 1, 2005) originates from Article 32 of the previous Zhejiang RRA. Article 38 of the current amended Zhejiang RRA inherits the original legislative principle of the clause on “abnormal religious activity” and sets down more formal procedural definitions modeled on the formal legislative language of Article 22 Clause 1 of the National RRA and the Requirement of Four Conditions on holding this type of activity. Simultaneously in accordance with the requirement of Article 2 of the National RRA, adding Article 38 Clause 3: “religious groups or religious activity sites holding an abnormal religious activity shall adopt effective measures to prevent unexpected emergencies. The People’s government of a rural or urban township in the location where the activity takes place and departments concerned with the people’s government at the county level and above shall implement necessary management techniques according to their respective duties and responsibilities to guarantee the safe and orderly conduct of the abnormal religious activity.”

In its last chapter “Legal Liabilities” the amended Zhejiang RRA describes “abnormal religious activity” in further detail, adding two new types of religious activity, i.e., those “presided over by non-religious personnel” and “unauthorized cross-regional” that are included within the range of administrative penalty. Article 46 is also stipulated according to the principle of Article 43 Clause 1 of the National RRA. In the RRA of this province it first proposes the clause of inflicting an administrative penalty against an “illegal religious building.” It actually means to forcefully demolish unauthorized meeting places.

#### **IV. Changes in Shanghai RRA before and after amendment**

The emphasis of the Shanghai RRA is basically identical to that of Zhejiang; the uniqueness of the amended Shanghai RRA lies in its specific definitions on “religious publications.” Article 12 Clause 2 of its previous RRA stipulated “printing, publishing, and distribution of religious books and periodicals, religious printed matters, and religious audio-visual products shall be conducted according to relevant provisions.” This clause has been changed by the amended RRA to: “printing, publishing, and distribution of religious newspapers, religious periodicals, religious books, religious electronic publications, and religious audio-visual products and so on (hereinafter termed “religious publications”) shall be handled according to provisions of the state and this municipality concerning publication regulations.” Also a new clause has been added reading “any religious groups and religious activity sites (hereafter termed “religious organizations”) that are in need of producing printed religious material out of the range of religious publications shall precede according to relevant regulations of the state and this municipality.” This amendment seems, on the surface, to categorize religious publications, yet in reality it is requiring all religious publications (especially internal materials) be controlled by the licensing authorities of administrative departments.

Before the promulgation of the previous Beijing RRA, the revised “Regulations Governing Printing” and “Regulations Governing Publication” were promulgated and took effect. The new “Regulations Governing Printing” specifically prescribes that internal religious publications must undergo a dual review and approval procedure to obtain authorization from the Administration of Religious Affairs at the provincial level and issued a “print permit” from the Administration of the Press at the provincial level. While other types of internal publications need only be issued a “print permit” from the Administration of the Press at the county level. The design of the “authorization by provincial level departments” is intended to have a psychological effect in that regulation by a higher authority is a more intense level of policy implementation. This type of legal procedural discrimination is without explanation or plausible cause; it violates the constitutional principle of equal treatment at the same time violates the rights of equality, religious freedom and freedom of the press. It is based precisely on the unfair treatment of religious publications. The new Regulations Governing Publications adds a new chapter 5 “Importation of Publications: establishment of a special operations and review system on imported publications.” The previous Beijing RRA has a special chapter on religious publications which categorizes them by three criteria: “open publications,” “internal material publications,” and “overseas publications,” with emphasis on regulating publishing, printing and distribution of religious “internal publications” and “overseas publications.” And this chapter has been reserved intact in

the new RRA.

Article 12 of the previous Zhejiang RRA before the promulgation of the new “Regulations Governing Printing” and “Regulations Governing Publication” states, “printing, publishing, and distribution of religious books and periodicals, religious printed materials, and religious audio-visual products shall obtain authorization from the Department of Religious Affairs of the province and approval from the Department of the Press of the province” has been amended to Article 5 Clause 1: “publication of openly circulated religious publications shall be conducted according to regulations by the Publishing Administration of the state,” and Clause 2 states: “internal religious materials compiled by religious groups and temples/churches shall obtain authorization from the Administration of Religious Affairs of the province and issuance of a “printing permit” from the Administration of the Press of the province.” This amendment has similarly divided religious publications into “open circulation publications” and “internal material publications,” and the latter needs to undergo dual authorization from both the Administration of Religious Affairs and the Administration of the Press of the province.

It can be seen that religious publications, especially internal material publications, have become the emphasis of religious regulation; this is precisely the newly formulated regulative measure targeting independent Christian house churches that print and produce in quantities larger than the publishing regulation order in China.

## V. Conclusion

From analyzing the content changes in legal clauses of the RRA’s of Beijing, Zhejiang, and Shanghai before and after their amendments, this paper argues that the Chinese government, at the central and local levels, has shifted the regulative emphasis on religious activities from the singular target of religious activities sites to more comprehensive religious undertakings: the system of integrated regulation of religious activities, the identity qualification system of a religious faculty, the review and approval system of establishing, expanding, relocating, or constructing religious activities sites, the review and approval of religious publications especially internal material publications, the permission mechanisms of cross-regional religious activities, the system of integrated regulation of religious activities sites, the system of application and approval and preventive measures regarding large scale religious activities, the permission procedures for large outdoor religious statues, legal liabilities especially the formal provision allowing forceful demolition of unauthorized religious buildings, etc. All these result in more comprehensive, rigid and diverse regulation measures. - Although this regulation is merely an “administrative and regional law,” the promulgation of the unconstitutional National RRA and the amendment or establishment of Regional RRA’s symbolize the formal establishment of the system of “legally regulating religion” due to the fact that Chinese citizens do not enjoy freedom of assembly, the judicial system is not independent, the People’s Congress does not have adequate representation, and there is no review or litigation system for unconstitutionality.

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<sup>1</sup> “Certified religious professionals can preside over religious activities in venues of religious activities.”

<sup>2</sup>Article 16: “Religious professionals registered on record of this municipality going to other places to preside over religious activities, or religious professionals from other locations coming into this municipality to preside over religious activities, shall obtain prior approval of the municipal religious organizations and report to the religious affairs administrative departments of the People’s Government of the Municipality, or District or County for record keeping.” Also see amendments to Article 26 below.

<sup>3</sup>“Personnel who are not certified and registered on records or who have been removed from the status of religious professionals shall not preside over religious activities,” has been changed to “personnel who are unqualified to be religious professionals or whose credentials do not fit the specifications of the religion shall not preside over religious activities.”

<sup>4</sup>“Places of religious activity shall strengthen internal management and shall, in accordance with the provisions of relevant laws and regulations, establish sound systems of management in the areas of personnel, finance, accounting, security, fire control, cultural relics protection, health, and epidemic prevention. They shall accept guidance, supervision, and inspection from concerned departments of the People’s Government.”

<sup>5</sup>“Venues of religious activities shall establish sound administrative organizations and systems and accept the annual inspection from the administrative department of religious affairs of the people’s government of the local district or county.”

<sup>6</sup>“If a unit or individual intends to remodel or build a new structure at a place of religious activity, or intends to establish a site for commercial services, to hold an exhibition, or to shoot film or television footage, it shall first obtain consent from said place of religious activity and from the department of religious affairs of the local People's Government at the county level or higher.”

<sup>7</sup>Adding a new structure, conversion or extension of buildings, establishing a site for commercial services, holding an exhibition, or shooting film or television footage within the range of management of a place of religious activity must obtain consent from the administrative organization of the place, and the Administration of Religious Affairs of the Municipality or District and County, and undergo necessary procedures at the department concerned.

<sup>8</sup>Article 1: The religious group or temple/church which intends to organize a large-scale religious event that crosses provincial, autonomous region, or directly-administered municipality boundaries and exceeds the capacity of the place of religious activity, or intends to hold a large-scale religious event outside of a place of religious activity, shall submit an application to the religious affairs department of the People's Government of the province, autonomous region, or directly-administered municipality in which the religious event is to be held at least 30 days prior to the date when the event is to be held. The religious affairs department of the provincial, autonomous region or directly-administered municipality People's Government shall make a decision to approve or not to approve within 15 days of receipt of said application. Article 2: The large-scale religious event shall be conducted pursuant to the requirements recorded on the notice of approval and without deviation from religious ritual. It shall not contravene the provisions of articles 3 and 4 of these regulations. The organizing religious group or temple/church shall take effective measures to prevent accidents. The departments concerned of the township People's Government and county and higher-level local People's Governments for the area in which the large-scale religious event is to be held shall, in accordance with their respective official responsibilities, provide management as needed to ensure the safety and orderly progress of the large-scale religious event.

<sup>9</sup>Organizing large-scale religious event shall obtain consent from religious groups of the municipality and report to and obtain approval from the religious affairs department of the People's Government of the Municipality or District or County according to relevant regulations of the Municipality, and fulfill relevant procedures.

<sup>10</sup>“Buildings and structures used by places of religious activity for religious activity and the appurtenant living quarters of religious instructors may not be assigned to another party, mortgaged, or used as investment in kind.”

<sup>11</sup>“Religious organizations and places of religious activity can lease and assign religious real estate or utilize religious real estate for other business purposes according to relevant regulations of the state and this municipality.”

<sup>12</sup>Article 47 has been amended to read: “violation of provisions in Articles 9, 14, 16, 18 and 27 of this Regulation and falls within any one of the following situations, shall be annulled or ordered to stop activity, or be given a warning, or have illegal earnings seized if any, or have unlawful buildings or structures dealt with according to relevant laws and regulations, or be inflicted with security administrative penalty if any, by the religious affairs department of the People's Government of the this municipality or district or count, and other departments concerned: (1) Establishment of religious academies or schools or holding training classes without authorization; (2) Having personnel unqualified for religious faculty or non conforming with requirements of the religion to preside over religious activities; (3) religious faculty from outside of the region coming to this municipality to preside over religious activities or religious faculty of this municipality coming to other regions to preside over religious activities without obtaining consent from religious groups of this municipality and reporting to the religious affairs department of the People's Government of the municipality or of district or county for record keeping; (4) establishment of place of on religious activities without authorization; (5) conducting evangelization outside of places of religious activities, or erecting religious stand or statue at public places without authorization.” Article 48 has been amended to read: “Violation of provisions in Article 36 of this Regulation, non-religious organizations or places of non- religious activities receiving offerings, donations or other religious contributions, shall be ordered by the religious affairs department of the People's Government of the municipality or of the district or county,; and have unlawful earnings seized if any; and be inflicted fines of three times of unlawful earnings.”

<sup>13</sup> Article 2 Clause 2: “The religious affairs mentioned in this regulation refer to the social public affairs that exist between religion and the state, society, and citizens.”

<sup>14</sup>Article 7 “People's Government at various levels shall safeguard the legal rights and interests of religious groups, places of religious activities, religious faculty, and religious citizens, hear the opinions from religious groups, places of religious activities, religious faculty, and religious citizens, coordinate administration of religious affairs, and guide religion to be in conformity with the socialist society”

<sup>15</sup> Article 8 of the amended Shanghai RRA has similar statement.

<sup>16</sup> 见沪修订 RRA 第 6 条第 4 款: “市和区、县宗教事务部门可以委托乡、镇人民政府和街道办事处, 对本行政

区域内的宗教事务进行管理。居民委员会、村民委员会应当配合各级人民政府做好相关工作。”

<sup>17</sup>浙修订 RRA 第 8 条第 3 款：“乡、镇人民政府和街道办事处应当按照各自职责，协助宗教事务部门做好宗教事务工作。居民委员会、村民委员会应当配合各级人民政府做好相关工作。”

<sup>18</sup>浙修订 RRA 第 11 条第 2 款：“宗教团体和寺观教堂举办宗教教职人员和义工培训班，应当具备下列条件：

（一）有培训计划；（二）有具备一定宗教学识的宗教教职人员；（三）培训人数不得超过举办场所的容纳规模；（四）培训内容不得违反法律、法规和政策。”

<sup>19</sup>浙修订 RRA 第 19 条第 1 款：“经认定并备案的非本省户籍的宗教教职人员，其户籍需要迁入本省的，应当在本省担任宗教教职三年以上，由有关宗教团体推荐，逐级报省宗教事务部门审核，再按照户籍管理的有关规定办理手续。”第 2 款：“省内宗教教职人员户籍迁移，参照前款规定办理。”

<sup>20</sup>第 1 款：“宗教团体、寺观教堂在宗教活动场所外修建大型露天宗教造像，按照国家有关规定办理。”第 2 款：“在宗教活动场所外修建、制作其他形式的大型露天宗教景观，应当由有关宗教团体向设区的市宗教事务部门提出申请。设区的市宗教事务部门应当自收到申请之日起三十日内提出意见，拟同意的，报省宗教事务部门审批。省宗教事务部门应当自收到报告之日起六十日内，作出批准或者不予批准的决定。”第 3 款：“宗教团体、寺观教堂以外的组织或者个人不得修建、制作大型露天宗教造像和其他形式的大型露天宗教景观。”

<sup>21</sup>浙修订 RRA 第 35 条：“集体宗教活动应当在依法登记的宗教活动场所或经县级以上宗教事务部门认可的场合内进行。”第 36 条第 1 款：“信教公民可以在宗教活动场所内，按照本宗教的教义、教规和习惯进行宗教活动。”第 2 款：“信教公民也可以在本人家里过宗教生活，但不得影响他人正常生活。”

<sup>22</sup>旧条例第 28 条：“宗教活动应当在核准登记的宗教活动场所和经县级以上宗教事务部门认可的场合内进行。”这种表述的逻辑，可能被认为公民不能在家庭进行个人宗教生活。

<sup>23</sup>浙修订 RRA 第 36 条第 2 款：“信教公民也可以在本人家里过宗教生活，但不得影响他人正常生活。”

<sup>24</sup>浙原 RRA 第 32 条：“举办非通常的宗教活动，应当经县级以上宗教事务部门审批。其中，举办跨县（市、区）的或者大型的宗教活动，应当报经市（地）宗教事务部门审批；举办跨市（地）的宗教活动，应当报经省宗教事务部门审批。”国 RRA 第 22 条第 1 款：“跨省、自治区、直辖市举行超过宗教活动场所容纳规模的大型宗教活动，或者在宗教活动场所外举行大型宗教活动，应当由主办的宗教团体、寺观教堂在拟举行日的 30 日前，向大型宗教活动举办地的省、自治区、直辖市人民政府宗教事务部门提出申请。省、自治区、直辖市人民政府宗教事务部门应当自收到申请之日起 15 日内作出批准或者不予批准的决定。”

<sup>25</sup>浙修订 RRA 第 38 条第 1 款：“举办跨县（市、区）、设区的市等非通常的宗教活动，应当报县级以上宗教事务部门审批。其中，跨县（市、区）的，应当报经设区的市宗教事务部门审批；跨设区的市的，应当报经省宗教事务部门审批。”第 2 款：“举办非通常的宗教活动，应当在举办日的三十日前向县级以上宗教事务部门提出申请。宗教事务部门应当在收到申请之日起十五日内作出批准或者不予批准的决定。”第 3 款：“举办非通常的宗教活动，应当具备下列条件：（一）符合宗教教义、教规和宗教习惯；（二）确有举办非通常宗教活动的需要；（三）有具体的活动方案，包括发生意外事件的应急预案；（四）其他应当具备的条件。”

<sup>26</sup>国 RRA 第 22 条第 2 款：“大型宗教活动应当按照批准通知书载明的要求依宗教仪轨进行，不得违反本条例第三条、第四条的有关规定。主办的宗教团体、寺观教堂应当采取有效措施防止意外事故的发生。大型宗教活动举办地的乡、镇人民政府和县级以上地方人民政府有关部门应当依据各自职责实施必要的管理，保证大型宗教活动安全、有序进行。”

<sup>27</sup>浙修订 RRA 第 45 条：“违反本条例，有下列行为之一的，由县级以上宗教事务部门责令停止活动；有违法所得的，没收违法所得；情节严重的，可以并处违法所得一倍以上三倍以下的罚款：（一）在宗教活动场所外或者未经宗教事务部门认可的场合主持、组织宗教活动的；（二）在宗教活动场所外传教的；（三）未经县级以上宗教事务部门批准举办宗教培训活动的；（四）未经认定并备案的人员主持宗教活动的；（五）宗教教职人员未经批准擅自跨地区主持宗教活动的。”

<sup>28</sup>国 RRA 第 43 条第 1 款：“擅自设立宗教活动场所的，宗教活动场所已被撤销登记仍然进行宗教活动的，或者擅自设立宗教院校的，由宗教事务部门予以取缔，没收违法所得；有违法房屋、构筑物的，由建设主管部门依法处理；有违反治安管理行为的，依法给予治安管理处罚。”

<sup>29</sup>浙修订 RRA 第 46 条：“违反本条例，有下列行为之一的，由县级以上宗教事务部门责令改正或者停止活动，可以对有关单位和个人处一千元以上一万元以下罚款；情节严重的，处一万元以上五万元以下罚款；有违法房屋、构筑物、违法用地的，由有关行政主管部门依法处理：（一）个人和非宗教团体在公众场所设置宗教设施的；（二）未经批准，扩建、迁建宗教活动场所的。”

<sup>30</sup> The previous RRA of Beijing was promulgated July 18, 2002 and enforced November 1 the same year.

<sup>31</sup> “Regulations Governing Printing” (promulgated 19970308, enforced 19970501, annulled); “Regulations Governing Printing (State Council Order No.15, promulgated and enforced August 2, 2001) “Regulations Governing Publication”

(promulgated 19970102, enforced 19970201, annulled); “Regulations Governing Publication,” (enforced 20020201)

<sup>32</sup> “Regulations Governing Printing” (State Council Order No.315, promulgated and enforced August 2, 2001) Article 18

Clause 1: “Printing enterprises accepting orders for printing internal material publications must verify the presence of the print permit issued by the administration of the press of the local people’s government at the county level or above.”

Clause 2: “Printing enterprises accepting orders for printing internal material publications with religious content must verify the presence of the authorization paper from the religious affairs administration of the People’s Government of the province, autonomous region or directly-administered municipality and the print permit issued by the administration of the press of the people’s government of the province, autonomous region or directly-administered municipality.”

Clause 3: “the administration of the press shall decide, within 30 days of receipt of the application for printing of internal material publications or for printing internal material publications with religious content, on whether it will grant the print permit or not, and notify the applicant; No decision beyond the period shall be deemed consenting to the application.”

<sup>33</sup> 如”国务院批转国家出版局等单位关于制止滥编滥印书刊和加强出版管理工作的报告》（1980—06—22）规定：“印制年历、挂历须经省一级以上有关主管部门核准。”“非出版单位交印的书刊，未经省一级出版行政机关批准，任何印刷厂都不准制版、印刷。”

<sup>34</sup> See National RRA Article 7 Clause 1: “religious groups may, in accordance with relevant state regulations, compile and print publications for internal religious use. The publication of publicly distributed religious publications shall be subject to regulations governing publications.” Clause 2: “Published materials that contain religious information shall comply with the Regulations Governing Publication and shall not contain the following:

(1) That which would upset harmonious relations between religious citizens and non-religious citizens; (2) That which would upset harmony between different religions or within a religion;

(3) That which discriminates against or insults religious citizens or non-religious citizens; (4) that which propagates religious extremism; (5) that which violates the principle of religious autonomy and independence.”

<sup>35</sup> The “case of Cai Zhuohua ‘unlawful business operations crime’ in 2005, the “case of Wang Zaiqing ‘unlawful business operations crime’ in 2006”, and the case of forceful removal of Dangshan church building of Xiaoshan, Zhejiang—believers suspected of ‘violent resistance of law enforcement’ arrested, are all proofs.