

Issuer:	Riigikogu
Type:	act
In force from:	01.01.2018
In force until:	31.01.2023
Translation published:	11.01.2018

Churches and Congregations Act

Passed 12.02.2002
RT I 2002, 24, 135
Entry into force 01.07.2002

Amended by the following acts

Passed	Published	Entry into force
19.06.2002	RT I 2002, 61, 375	01.08.2002
25.02.2003	RT I 2004, 14, 91	25.03.2004
28.06.2004	RT I 2004, 54, 391	10.07.2004
15.06.2005	RT I 2005, 39, 308	01.01.2006
06.12.2006	RT I 2006, 61, 456	01.01.2007
19.06.2008	RT I 2008, 35, 213	01.01.2009
10.12.2008	RT I 2008, 59, 330	01.01.2009
29.01.2009	RT I 2009, 13, 78	01.07.2009
29.10.2009	RT I 2009, 54, 363	01.01.2010
20.01.2011	RT I, 02.02.2011, 1	12.02.2011
05.12.2012	RT I, 18.12.2012, 3	19.12.2012
11.06.2014	RT I, 21.06.2014, 8	01.01.2015
19.06.2014	RT I, 29.06.2014, 109	01.07.2014, the titles of ministers replaced on the basis of subsection 107 ³ (4) of the Government of the Republic Act in the wording in force as of 1 July 2014.
20.04.2017	RT I, 09.05.2017, 1	01.07.2017
13.12.2017	RT I, 30.12.2017, 1	01.01.2018

Chapter 1 GENERAL PROVISIONS

§ 1. Scope of application of Act

(1) The purpose of this Act is to provide the procedure for membership of churches, congregations, associations of congregations, monasteries and religious societies and the regulation of their activities in order for freedom of religion as ensured for everyone by the Constitution to be exercised.

(2) The provisions of the Administrative Procedure Act apply to administrative proceedings prescribed in this Act, taking account of the specifications of this Act.
[RT I 2002, 61, 375 - entry into force 01.08.2002]

§ 2. Religious associations

(1) Religious associations are churches, congregations, associations of congregations and monasteries as well as institutions of a church operating on the basis of an international agreement.
[RT I, 02.02.2011, 1 - entry into force 12.02.2011]

(2) For the purposes of this Act, a church is an association of at least three voluntarily joined congregations which has an episcopal structure and is doctrinally related to three ecumenical creeds or is divided into at least three congregations, which operates on the basis of its statutes, is managed by an elected or appointed

management board and is entered in the register in the cases and pursuant to the procedure prescribed by this Act.

(3) For the purposes of this Act, a congregation is a voluntary association of natural persons who profess the same faith, which operates on the basis of its statutes, is managed by an elected or appointed management board and is entered in the register in the cases and pursuant to the procedure prescribed by this Act.

(4) For the purposes of this Act, an association of congregations is an association of at least three voluntarily joined congregations which profess the same faith, which operates on the basis of its statutes, is managed by an elected or appointed management board and is entered in the register pursuant to the procedure prescribed by this Act.

(5) For the purposes of this Act, a monastery is a voluntary communal association of natural persons who profess the same faith, which operates on the basis of the statutes of the corresponding church or independent statutes, is managed by an elected or appointed superior of the monastery and is entered in the register in the cases and pursuant to the procedure prescribed by this Act.

(6) This Act shall apply to an institution of a church operating on the basis of an international agreement similarly to the provisions concerning congregations which belong to a church.
[RT I, 02.02.2011, 1 - entry into force 12.02.2011]

§ 3. Main activities of religious associations

(1) The main activities of churches, congregations, associations of congregations, and monasteries include professing and practising their faith, primarily in the form of religious services, meetings and rites, and confessional or ecumenical activities relating to morals, ethics, education, culture, and confessional or ecumenical diaconal and social rehabilitation activities and other activities outside the traditional religious rites and services of the churches or congregations.

(2) The objective or main activity of churches, congregations, associations of congregations and monasteries shall not be the earning of income from economic activity.

(3) The management boards of churches, congregations and associations of congregations and the agencies thereof and the superiors of monasteries have the right to issue legal instruments relating to the activities of the religious associations pursuant to the procedure provided for in the statutes.

§ 4. Religious society

(1) A religious society is a voluntary association of natural or legal persons the main activities of which include confessional or ecumenical activities relating to morals, ethics, education, culture and confessional or ecumenical diaconal and social rehabilitation activities outside the traditional forms of religious rites of a church or congregation and which need not be connected with a specific church, association of congregations or congregation.

(2) A religious society shall be entered in the non-profit associations and foundations register pursuant to the procedure prescribed by the Non-profit Associations Act. In order to determine compliance of the statutes of a religious society with the requirements provided by law, the county court which maintains the register may suspend proceedings for entry in the register for two months and request the opinion of the ministry whose area of government includes management of issues relating to religious associations or request an expert opinion of a competent authority.
[RT I 2005, 39, 308 - entry into force 01.01.2006]

§ 5. Passive legal capacity

(1) A religious association is a legal person in private law with regard to whom the Non-profit Associations Act applies in so far as this Act does not provide otherwise.

(2) The statutes of a religious association may prescribe differences from the provisions of the Non-profit Associations Act concerning membership and management if such differences arise from the historical teaching and structure of the religious association.

(3) Transformation of a religious association into a legal person of a different type is prohibited.

(4) The passive legal capacity of a religious association commences as of entry of the religious association in the register of religious associations (hereinafter *register*) and terminates as of deletion of the religious association from the register.

(5) Congregations which belong to a church or association of congregations but are not entered in the register and monasteries which belong to a church but are not entered in the register are not legal persons.

§ 6. Registered office

(1) The registered office of a church, congregation or association of congregations is the place where the management board of the church, congregation or association of congregations is located unless the statutes prescribe otherwise. The registered office of a monastery is the place where the building or complex of buildings of the monastery are located.

(2) The management board of a church, congregation or association of congregations shall be located in Estonia regardless of the location of its spiritual centre.

§ 7. Name

(1) The name of a religious association shall be written in Latin letters and include the corresponding word “*kirik*” [church], “*kogudus*” [congregation], “*koguduste liit*” [association of congregations] or “*klooster*” [monastery] and shall clearly differ from the names of other legal persons entered in the non-profits associations and foundations register and shall not be misleading with regard to the objectives, scope of activity or legal form. A religious association may instead of the words “*kogudus*” [congregation] or “*koguduste liit*” [association of congregations] use a corresponding own designation in its name, if such a designation derives from the historically established practice of name use of the religious association.

(2) [Repealed - RT I 2004, 54, 391 - entry into force 10.07.2004]

(3) A religious association whose interests are damaged by the unauthorised use of its name may demand termination of the unauthorised use thereof and compensation for damage caused thereby.
[RT I 2005, 39, 308 - entry into force 01.01.2006]

Chapter 2 FREEDOM OF RELIGION OF INDIVIDUAL

§ 8. Rights of individual

(1) Every person has the right to freely choose, profess and declare his or her religious beliefs unless it damages public order, health, morals, or the rights or freedoms of others.

(2) No one is required to provide information on his or her religion or membership in congregations, except a suspect, accused, accused at trial or victim in the course of criminal proceedings.

(3) Every person has the right to leave a congregation if he or she notifies the management board of the congregation of his or her decision beforehand. Every person has the right to leave a monastery if he or she notifies the superior of the monastery of his or her decision beforehand.

(4) The guardian of a person with restricted active legal capacity does not have the right to change the religion or membership in a congregation of the person.

(5) Members with active legal capacity who are at least 18 years of age have the right to participate in the election of the management board and officials of a church, congregation or association of congregations, unless a different age limit is provided for in the statutes.

(6) Every person has the right to be buried according to his or her religion.

(7) In the absence of relatives, guardians or curators, and if it is known that a deceased person was a member of a congregation, the congregation of the deceased person shall perform the confessional funeral service.
[RT I 2005, 39, 308 - entry into force 01.01.2006]

§ 9. Performance of religious rites in medical institutions, educational institutions, social welfare institutions, custodial institutions and structural units of Defence Forces

[RT I 2008, 35, 213 - entry into force 01.01.2009]

(1) Persons staying in medical institutions, educational institutions, social welfare institutions and custodial institutions and members of the Defence Forces have the right to perform religious rites according to their religion unless this violates public order, health, morals, the rules established in these institutions or the rights of others staying or serving in these institutions.

(2) A religious association shall conduct religious services and religious rites in a medical institution, educational institution or social welfare institution with the permission of the owner or the head of the institution, in a custodial institution with the permission of the director of the prison, in the Defence Forces with

the permission of the commander of the structural unit and in the National Defence League with the permission of the chief of the unit.

[RT I 2008, 35, 213 - entry into force 01.01.2009]

§ 10. Membership of child in congregation

(1) Every person of at least 15 years of age may independently become a member of a congregation or leave a congregation pursuant to the procedure prescribed by the statutes.

(2) A child who is less than 15 years of age may be a member of a congregation with the permission of his or her parents or guardian.

Chapter 3

FOUNDATION, REGISTRATION, MERGER, DIVISION AND DISSOLUTION OF RELIGIOUS ASSOCIATIONS

§ 11. Foundation of religious associations

(1) In order to found a church, an association of congregations, a congregation which does not belong to a church or association of congregations or a monastery which does not belong to a church, the founders shall enter into a memorandum of association.

(2) A memorandum of association shall set out:

- 1) the name, registered office, address and objectives of the activities of the church, congregation, association of congregations being founded or monastery which does not belong to a church and which is being founded;
- 2) the names and residences or registered offices, and the personal identification codes or registry codes of the founders;
- 3) the obligations of the founders;
- 4) the names, personal identification codes and residences of the members of the management board.

(3) Upon entry into a memorandum of association, the statutes of the church, association of congregations, congregation or monastery which does not belong to a church shall also be approved as an annex to the memorandum of association.

(4) A congregation which wishes to belong to a church or association of congregations shall be founded and the management board thereof shall be elected pursuant to the statutes of the corresponding church or association of congregations unless the specified statutes prescribe adoption of independent statutes for the congregation. Minutes shall be taken of the foundation meeting. The list of founders of the congregation which sets out the residences and personal identification codes of the founders together with the signatures of the founders shall be appended to the minutes.

(5) All founders shall sign the memorandum of association of a congregation which does not belong to a church or association of congregations or a monastery which does not belong to a church.

(6) The memorandum of association of a church or association of congregations and the statutes approved thereby shall be notarised; a representative of a founder may sign the memorandum of association.

(7) A monastery which belongs to a church shall be founded pursuant to the procedure prescribed by the statutes of the corresponding church and minutes shall be taken of the foundation meeting. The list of founders of the monastery which sets out the residences and personal identification codes of the founders together with the signatures of the founders shall be appended to the minutes.

[RT I 2004, 54, 391 - entry into force 10.07.2004]

§ 12. Statutes

(1) The statutes of a religious association shall contain the following information:

- 1) the name and registered office;
- 2) the objective and doctrinal bases of the activities;
- 3) obligatory religious rites;
- 4) the structure of management bodies and supervisory bodies and the procedure for the foundation, competence and terms of authority thereof;
- 5) the procedure for the election or appointment of members of the management board and restrictions on the right of representation;
- 6) the status, hierarchy, service relationships and professional attire of the ministers of religion;
- 7) the procedure for the formation, use and disposal of assets;
- 8) the bases and procedure for the adoption and amendment of the statutes;
- 9) the bases and procedure for termination of activities;
- 10) the conditions and procedure for membership in the religious association and for leaving and exclusion from the religious association;
- 11) the rights and obligations of members or the procedure for the establishment of obligations for members.

(2) If a church or an association of congregations amends the statutes thereof and such amendment involves transformation of the church into an association of congregations or transformation of the association of congregations into a church, representatives of all congregations which belong to the corresponding church or association of congregations must be in favour of the specified decision and sign the decision. The signatures on the decision shall be notarised.

(3) An amendment of the statutes of a religious association enters into force as of the making of a corresponding entry in the register.

(4) A religious association may have departments and agencies if this is prescribed by the statutes. Departments and agencies are not legal persons. The bodies of departments and agencies and their competence shall be prescribed by the statutes.

§ 13. Petition for entry in register

(1) A congregation with at least 12 adult members with active legal capacity shall be entered in the register.

(2) In order to enter a religious association in the register, the management board of the religious association shall submit a petition which sets out the information specified in subsection 15 (1) of this Act and which is signed by all members of the management board.

(3) The following shall be appended to the petition:

- 1) the memorandum of association and the statutes approved thereby, or the minutes of the foundation meeting and the statutes approved by the management board of the corresponding church or association of congregations;
- 2) [repealed - RT I 2009, 13, 78 - entry into force 01.07.2009]
- 3) telecommunications numbers (telephone, facsimile, etc);
- 4) proof of payment of the state fee.

(3¹) In the case of a religious association operating on the basis of an international agreement, the management board of the church operating on the basis of an international agreement shall submit a petition to the registrar, adding the text of the international agreement to the petition instead of the statutes and the memorandum of association.

[RT I, 02.02.2011, 1 - entry into force 12.02.2011]

(4) The documents specified in subsections (2) and (3) of this section, concerning a monastery which belongs to a church or a congregation which belongs to a church or association of congregations and which is a legal person pursuant to the statutes thereof or the statutes of the church or association of congregations shall be submitted to the register by the management board of the corresponding church or association of congregations.

[RT I, 09.05.2017, 1 - entry into force 01.07.2017]

(5) If the congregations or monasteries which belong to a church or association of congregations are not legal persons pursuant to the statutes of the corresponding church or association of congregations, the management board of the church or association of congregations shall submit, together with a petition for the entry thereof in the register and the annexes to the petition, a list of the congregations and monasteries thereof to the register on the basis of the territory of the church or congregations. The list shall set out the name, address and date of first mention or foundation of each congregation or monastery.

(6) Any other petition submitted to the register shall be signed by at least one member of the management board pursuant to the procedure established in the statutes.

(7) Signatures on a petition submitted to the register shall be notarised or a petition shall be signed digitally.

[RT I, 02.02.2011, 1 - entry into force 12.02.2011]

(8) A petition shall not be submitted by e-mail if it is possible to submit a digitally signed petition directly into the information system of the non-profit associations and foundations register maintained on computer. Otherwise the registrar shall return the petition submitted by e-mail without entering it in the registry journal and specify the reasons for return of petition.

[RT I, 02.02.2011, 1 - entry into force 12.02.2011]

(9) A notarised petition shall be submitted together with the documents necessary for making an entry to the registrar through the electronic information system of notaries through the notary having attested the petition. With good reason, the petition and the documents necessary for making an entry may be submitted through another notary. The notary shall explain to the person which documents shall be appended to the petition and which requirements apply thereto.

[RT I, 18.12.2012, 3 - entry into force 19.12.2012]

(10) Documents submitted by post shall be scanned and saved in an electronic folder and returned at the request of the applicant to the address of the religious association by ordinary mail. Documents the return of which shall not be requested shall be destroyed after one month of the submission thereof.

[RT I, 09.05.2017, 1 - entry into force 01.07.2017]

§ 14. Suspension of proceedings for entry in register and refusal to enter in register

(1) In order to determine compliance of a religious association with the requirements provided by law, the chairman of the county court which maintains the register may suspend proceedings for entry in the register for two months and request the opinion of the ministry whose area of government includes management of issues relating to religious associations or request an expert opinion of a competent authority.

(2) A registrar shall not enter a religious association in the register if:

- 1) the statutes or other documents submitted by the religious association are not in compliance with the requirements of law;
- 2) the activities of the religious association damage public order, health, morals, or the rights and freedoms of others.

(3) Upon refusal to enter a religious association in the register, the registrar shall indicate the reason for the refusal.

[RT I 2005, 39, 308 - entry into force 01.01.2006]

§ 15. Entry of information in register and change thereof

(1) The following shall be entered in the register:

- 1) the name of the religious association;
- 2) the registered office and address of the religious association;
- 3) the date of the first mention or foundation of the religious association;
- 4) the date of adoption of the statutes;
- 5) the names and personal identification codes of the members of the management board;

[RT I 2006, 61, 456 - entry into force 01.01.2007]

- 6) the specifications for the right of representation of the management board pursuant to § 24 of this Act;
- 7) other information provided by law.

(2) Upon changes in the information of a church, an association of congregations, a monastery which belongs to a church and a congregation which belongs to a church or an association of congregations entered in the register, the management board of the corresponding church or association of congregations shall submit a petition for entry of the changes in the register.

[RT I, 02.02.2011, 1 - entry into force 12.02.2011]

(2¹) Upon changes in the information of a monastery which does not belong to a church and a congregation which does not belong to a church or an association of congregations entered in the register, the management board of the relevant monastery or congregation shall submit a petition for entry of the changes in the register.

[RT I, 02.02.2011, 1 - entry into force 12.02.2011]

(2²) The petition specified in subsections (2) and (2¹) of this section shall be submitted pursuant to the procedure provided for in subsections 13 (6)–(8) of this Act.

[RT I, 02.02.2011, 1 - entry into force 12.02.2011]

(2³) A petition for entry of a new management board member in the register shall be submitted together with the consent to act as a management board member with the notarised or digital signature of the new member, and a confirmation concerning his or her right to act as a management board member pursuant to law.

[RT I, 02.02.2011, 1 - entry into force 12.02.2011]

(3) If a congregation or monastery joins a church or an association of congregations or if a congregation or monastery leaves or is excluded therefrom, the management board of the corresponding church or association of congregations shall submit to the register documents pursuant to the procedure set out in subsection 13 (4) of this Act or an amended list pursuant to the procedure set out in subsection 13 (5) of this Act.

(4) It is not necessary to add to the petition for changing the information entered in the register the minutes or extracts thereof of the general meeting or the meeting of another body that decided on the change or a list of participants in the meeting or any other document about the membership of the religious association.

[RT I, 30.12.2017, 1 - entry into force 01.01.2018]

§ 16. Merger, division and dissolution

(1) Merger, division and dissolution of a religious association shall be effected pursuant to the procedure prescribed for non-profit associations by the Non-profit Associations Act, unless otherwise provided by the statutes or this Act, and the register shall be notified thereof pursuant to subsections 13 (4)–(7) of this Act.

(2) A religious association shall be dissolved and liquidated:

- 1) on the basis and pursuant to the procedure prescribed by the statutes;
- 2) if the number of congregations or members of the religious association falls below the number specified by this Act or the statutes;
- 3) upon the declaration of bankruptcy of the religious association;
- 4) on the basis and pursuant to the procedure provided for in subsection (3) of this section.

(3) The minister whose area of government includes management of issues relating to religious associations shall request compulsory dissolution of a religious association from a court if:

- 1) the activities or statutes of the religious association are contrary to law or the Constitution;
- 2) facts specified in clause 14 (2) 2) of this Act become evident in the activities of the religious association;
- 3) the activities of the religious association are not in compliance with the objectives set out in the statutes;
- 4) economic activity becomes the main activity of the religious association.

Chapter 4

REGISTER OF RELIGIOUS ASSOCIATIONS

§ 17. Maintenance of register

(1) The register of religious associations is a part of the non-profit associations and foundations register with regard to which the provisions of legislation concerning the non-profit associations and foundations register apply unless otherwise provided for in this Act.

(2) The register of religious associations shall be maintained on the religious associations located in Estonia.

(3) The register of religious associations shall be maintained by the registration department of Tartu County Court (hereinafter *registrar*).

[RT I, 21.06.2014, 8 - entry into force 01.01.2015]

(4) [Repealed -RT I, 21.06.2014, 8 - entry into force 01.01.2015]

§ 18. Restrictions relating to public files and registry files

(1) Documents which a religious association submits to the registrar pursuant to law are maintained in the public file concerning the religious association.

(1¹) Information about the membership of a religious association is not maintained in the public file concerning the religious association.

[RT I, 30.12.2017, 1 - entry into force 01.01.2018]

(2) A registry file of a religious association may be examined by a person whose legitimate interest has been established by a notary. § 41 of the Notaries Act is applied upon refusal of examination.

[RT I, 09.05.2017, 1 - entry into force 01.07.2017]

§ 19. Entries of registry card of religious association

(1) The format of registry cards of religious associations shall be established by a regulation of the minister responsible for the area.

[RT I, 09.05.2017, 1 - entry into force 01.07.2017]

(2) The following information shall be entered on a registry card:

- 1) the registry code and consecutive numbers of register entries;
- 2) the name;
- 3) the registered office and address;
- 4) the date of the first mention or foundation;
- 5) the date of adoption of the statutes;

[RT I, 18.12.2012, 3 - entry into force 19.12.2012]

6) information on the members of the management board;

7) the right of representation of the members of the management board and the liquidators if such right differs from the general rule prescribed by law;

8) the merger or division;

9) the dissolution;

10) information on the liquidators;

11) information on the trustee in bankruptcy;

12) the declaration of bankruptcy and termination of bankruptcy proceedings;

13) the deletion from the register;

14) information on the depositary of documents of a liquidated religious association;

- 15) the date of entry;
[RT I, 18.12.2012, 3 - entry into force 19.12.2012]
16) references to earlier and later entries, and notations.

Chapter 5

MINISTER OF RELIGION AND MANAGEMENT BOARD

§ 20. Minister of religion

(1) A person who has the right to vote in local government elections may be a minister of religion of a religious association. Other requirements for a minister of religion shall be established by the religious association.

(2) The management board of a religious association has the right to invite a minister of religion from outside Estonia and apply for a work and residence permit for the minister of religion who is an alien pursuant to the provisions of the Aliens Act and other legislation.

§ 21. Professional attire of minister of religion

(1) Only a person to whom a religious association has granted the corresponding permission has the right to wear the professional attire of a minister of religion prescribed by the statutes of the religious association. The specified restriction does not apply if ordinary clothing is the professional attire of the minister of religion.

(2) A religious association whose interests are damaged by the unauthorised use of the professional attire of its minister of religion may demand termination of the unauthorised use of the professional attire of the minister of religion and compensation for damage caused thereby.

§ 22. Confessional secret

A minister of religion shall not disclose information which has become known to him or her in the course of a private confession or pastoral conversation or the identity of a person who makes the private confession to or has a pastoral conversation with the minister of religion.

§ 23. Management board

(1) A church, congregation and association of congregations shall have a management board. The minimum and maximum number of members of the management board shall be prescribed by the statutes.

(2) The residence of at least one half of the members of the management board must be in Estonia, in another Member State of the European Economic Area or in Switzerland.
[RT I, 18.12.2012, 3 - entry into force 19.12.2012]

(3) Within the meaning of this Act, the superior of a monastery is deemed to be the management board of the monastery.

(4) The restriction on term of office of a management board member established by law shall not be applied to a minister of religion or the superior of a monastery included in the management board of a religious association by position in accordance with the statutes of the religious association. A religious association shall submit the relevant information to the register in the petition specified in subsection 13 (2) or (3¹) or subsection 15 (2) or (2¹) of this Act.
[RT I, 02.02.2011, 1 - entry into force 12.02.2011]

§ 24. Right of representation of management board and liability of members of management board

The provisions of the Non-profit Associations Act apply to the right of representation of a management board and the liability of members of the management board unless otherwise provided for in the statutes.

Chapter 6

ASSETS OF RELIGIOUS ASSOCIATION

§ 25. Proprietary rights and obligations

(1) Churches, congregations and associations of congregations have the right to charge a membership fee from their members pursuant to the procedure provided for in the statutes.

(2) A religious association has the right to charge a fee for religious rites, organise fund-raising for specific purposes, accept donations and estate and receive income from its assets.

(3) A religious association may pledge, grant use of or transfer cultural monuments which belong to the assets of the religious association on the basis of a resolution of the management board, taking account of the requirements established by the Heritage Conservation Act. Congregations which belong to a church or association of congregations shall exercise such right with the permission of the management board of the church or association of congregations pursuant to the procedure prescribed by or established on the basis of the statutes.

(4) The statutes of a church or association of congregations may provide that the congregations which belong to a church or association of congregations may grant use of immovables, encumber immovables with limited real rights or transfer immovables with the permission of the management board of the church or association of congregations pursuant to the procedure prescribed by or established on the basis of the statutes.

(5) A religious association shall organise the accounting pursuant to the provisions of the Accounting Act and its statutes.

[RT I 2005, 39, 308 - entry into force 01.01.2006]

§ 25¹. Annual report

Religious associations and religious societies entered in the non-profit associations and foundations register shall submit an annual report pursuant to subsections 36 (5) and 78 (3) of the Non-profit Associations Act, without the data concerning the principal activity.

[RT I 2009, 54, 363 - entry into force 01.01.2010]

§ 26. Supervision

(1) A review or audit may be called for pursuant to the procedure established in the statutes.

(2) The members of the management board and of other bodies shall allow controllers or auditors to examine all documents necessary for conduct of a review or audit and shall provide necessary information.

(3) Controllers and auditors shall prepare a report concerning the results of a review or audit and present the report to the body which called for the review or audit.

§ 27. Use of assets remaining upon termination of activities of religious association

(1) Upon dissolution of a congregation or monastery which belongs to a church or association of congregations, the assets remaining after satisfaction of the claims of creditors are transferred to the corresponding church or association of congregations.

(2) Upon termination of the activities, as specified in the statutes, of a church, an association of congregations, a congregation or monastery which does not belong to a church or association of congregations, the assets remaining after satisfaction of the claims of creditors are transferred to the state and may be used only for charitable or educational purposes.

Chapter 7 IMPLEMENTATION OF ACT

§ 28. Application of this Act to religious associations

(1) The provisions of §§ 1–3, 5–10, 16 and 20–27 of this Act apply to religious associations founded before 1 July 2002 until entry of the religious associations in the register.

(2) Religious associations entered in the register of churches, congregations and associations of congregations maintained by the Ministry of Internal Affairs may amend and delete data entered in the register pursuant to the procedure in force before the entry into force of this Act until 1 January 2005.

[RT I 2004, 54, 391 - entry into force 10.07.2004]

§ 29. Petition for entry in register

(1) Religious associations which were founded before 1 July 2002 and are registered with the Ministry of Internal Affairs and which comply with the requirements of this Act shall be entered in the register on the basis of their petition.

(2) A petition for entry in the register shall set out the information provided for in this Act, and the certificate of registration of the religious association with the Ministry of Internal Affairs together with documents provided

for in this Act, except the memorandum of association or the minutes of the foundation meeting, shall be appended to the petition.

(3) In order for a religious association to be entered in the register, the statutes of the religious association shall be brought into conformity with the provisions of this Act.

(4) A petition for entry in the register shall be reviewed within two months as of submission of the petition and all other prescribed documents.

[RT I 2004, 14, 91 - entry into force 25.03.2004]

§ 29¹. Maintenance of documents submitted to registrar

Documents which are sent to the registrar and contain information about the membership of a religious association shall be transferred from the public file to the registry file. If the religious association has submitted an application to the registrar which has been electronically signed together with a document containing information about the membership of the religious association, all documents which have been jointly electronically signed shall be transferred to the registry file.

[RT I, 30.12.2017, 1 - entry into force 01.01.2018]

§ 30. Notations in registers

(1) Upon entry of a religious association registered with the Ministry of Internal Affairs in the register, a corresponding notation shall be made in the register of churches, congregations and associations of congregations on the basis of a notice from the registrar.

(2) Upon entry of a religious association founded before the entry into force of this Act in the register, a notation concerning the earlier registration with the Ministry of Internal Affairs shall be made in the register, indicating the former registration number.

§ 31. Dissolution

(1) Religious associations registered with the Ministry of Internal Affairs for the entry of which in the register no petition has been submitted by 1 January 2005, or whose petition for entry in the register submitted within the specified term has been dismissed are deemed to have undergone compulsory dissolution.

(2) Upon compulsory dissolution resulting from the reasons set out in subsection (1) of this section, the procedure provided for in § 95 of the Non-profit Associations Act applies.

[RT I 2004, 54, 391 - entry into force 10.07.2004]

§ 31¹. Submission of notice concerning minister of religion or superior of monastery included in management board

Before the entry into force of subsection 23 (4) of this Act concerning a minister of religion or the superior of a monastery entered in the register as a management board member specified in the first sentence of the specified subsection, a religious association may submit a relevant notice to the register pursuant to the procedure provided for in subsection 15 (2) or (2¹).

§ 32. Name of religious association

[Repealed - RT I, 02.02.2011, 1 - entry into force 12.02.2011]

§ 33. Amendments to State Fees Act

[Omitted from this text.]

§ 34. Repeal of earlier Churches and Congregations Act

[Omitted from this text.]

§ 35. Entry into force of Act

This Act enters into force on 1 July 2002.