

**Translation from Finnish
Legally binding only in Finnish and Swedish
Ministry of Education and Culture, Finland**

Act on the Freedom of Religion

(453/2003; amendments up to 463/2017 included)

By decision of Parliament, the following is enacted:

Chapter 1

General provisions

Section 1

Purpose of the Act

The purpose of this Act is to safeguard the exercise of the freedom of religion as provided in the Constitution of Finland. In addition, this Act lays down provisions on the founding of registered religious communities and the basis for their activities.

This chapter and chapter 3 apply to the Evangelical Lutheran Church of Finland and the Orthodox Church of Finland.

Section 2

Religious community

For the purposes of this Act, *a religious community* means the Evangelical Lutheran Church of Finland, the Orthodox Church of Finland and any religious community registered in the manner provided in chapter 2.

Section 3

Membership of a religious community

Everyone has the right to decide on his or her religious affiliation by joining a religious community that accepts him or her as a member or by resigning from one.

The decision on the religious affiliation of a child is made jointly by the persons who have custody of the child. If a court has decided otherwise on the distribution of responsibilities between the persons who have custody of a child under section 9, subsection 3 of the Act on Child Custody and Right of Access (361/1983), the court's decision shall, however, be complied with. (253/2016)

A child who has attained the age of 15 years may, however, personally join a religious community or resign from one with the written consent of the persons who have custody of the child. A person who has attained the age of 12 years may be joined to a religious community or be notified as having resigned from one only with his or her written consent.

Provisions on the conditions for membership in a religious community may be laid down in the legislation governing the Evangelical Lutheran Church of Finland and the Orthodox Church of Finland and in the community by-laws of the registered religious community concerned. In these provisions, a condition requiring that the person is not simultaneously a member of another religious community may be set for membership.

Section 4

Joining and resignation procedure

A person who wishes to join a religious community shall notify the community of this.

A person who wishes to resign from a religious community shall notify the community or the local register office of the resignation in writing. A person is considered to have

resigned from the community as of the date on which the community or the local register office received the resignation notification.

A religious community shall immediately submit a notification of persons accepted as members of the community and persons who have submitted a resignation notification to the community to the Population Information System referred to in the Population Information Act (507/1993). The notification shall include the person's full name, date of birth or personal identity code and the date of joining or resignation. The notification to the Population Information System may be submitted in writing, via telecommunications connections or otherwise in machine language.

The competent local register office of the person's municipality of residence or municipality of residence entered in the Population Information System shall, without delay, enter information on the joining in or resignation from a religious community in the Population Information System and provide the person who has resigned from the religious community with a confirmation of his or her resignation. The local register office shall, without delay, notify the religious community of persons who have submitted a resignation notification to the local register office.

If a resignation notification has been submitted to a local register office other than that referred to in subsection 4, the local register office receiving the notification shall, without delay, deliver the notification to the local register office referred to in subsection 4.

The duties laid down in this section for the local register offices are carried out in the Province of Åland by the State Department of Åland. (1450/2009)

Section 5

Oath and affirmation

A person who under an act or decree is obliged to take an oath or give an affirmation on his or her honour and conscience may choose to either take an oath or give an affirmation

regardless of whether or not he or she is a member of a religious community. An affirmation is always given if it has been provided as the only form of undertaking.

The procedure laid down in subsection 1 above is also observed when a witness, expert or another person may be heard or questioned under oath by virtue of an act or decree.

Section 6

Religious education

Provisions on the right to receive religious education are issued separately.

Chapter 2

Registered religious communities

Section 7

Purpose and forms of activity of a registered religious community

The purpose of a registered religious community is to organise and support individual, communal and public activities relating to the profession and practise of religion that are based on a creed, religious texts regarded as sacred, or another specified and established basis for activities regarded as sacred.

A community shall fulfil its purpose with respect for fundamental and human rights.

The purpose of a religious community is not to seek financial gain or otherwise organise activities that are mainly financial. The community may not organise activities for which an association as defined in the Associations Act (503/1989) may not be founded or for which an association may only be founded subject to permission.

Section 8

Founding of a registered religious community

A minimum of 20 persons are required for the founding of a registered religious community. All founders of a community shall have attained the age of 18 years.

Section 9

Charter of foundation

A charter of foundation shall be drawn up of the founding of a registered religious community, to which the community by-laws of the community shall be appended. The charter of foundation shall be dated and signed by the founders of the community referred to in section 8.

Section 10

Community by-laws

The community by-laws shall state:

- 1) the name of the religious community and the municipality in Finland in which it has its registered office;
- 2) the purpose and forms of activity of the community in accordance with section 7;
- 3) the manner of accepting members into the community;
- 4) the exercise of power of decision in the community;
- 5) the number or the minimum and maximum number of members in the executive committee of the community and of the auditors of the community and their terms of office;
- 6) the community's accounting period, adoption of financial statements and discharge from liability;
- 7) any obligation to pay membership and other fees to the community;

- 8) the procedure for making amendments to the community by-laws and for dissolution of the community; and
- 9) the use of assets in the event of dissolution or termination of the community.

If, under the community by-laws, the power of decision is exercised by the members at meetings of the community, the community by-laws shall state the manner in which and the period within which a meeting of the community shall be convened.

Section 11

Members and member register

A registered religious community may have private persons as members. The community shall keep a register of its members as separately provided.

Section 12

Executive committee

A registered religious community has an executive committee with one or more members. A person who is without legal capacity or bankrupt may not be a member of the executive committee. The executive committee has a chairperson. The chairperson and at least half of the other members of the executive committee shall be domiciled in Finland, unless an exemption from this is granted by the Ministry of Education.

The executive committee shall attend to the matters of the community with care in compliance with law, the community by-laws and the decisions taken by the community. The executive committee represents the community.

It may be provided in the community by-laws that the powers vested in the executive committee are exercised by a body with another name.

Section 13

Local communities

The community by-laws may contain provisions on the division of the religious community into parishes or other local communities.

A local community may be entered in the Register of Religious Communities under the entry on the relevant religious community. The provisions on a registered religious community laid down in sections 11, 12, 14, 24–26 and 28 apply, as appropriate, to a registered local community.

The community by-laws shall contain the provisions referred to in section 10, subsection 1, paragraphs 1 and 4–9 and, where necessary, in section 10, subsection 2 also regarding registered local communities.

However, it may be provided in the community by-laws that each local community issues the provisions or some of the provisions specified in subsection 3 in its own local by-laws. In that case, the community by-laws shall specify the procedure for the adoption of the local by-laws. Local by-laws and any amendments to them shall be submitted to the community for approval in accordance with a procedure specified in the community by-laws.

Section 14

Member's payment obligation

A person who has resigned from a registered religious community is liable to make a payment that is based on the community by-laws and that has fallen due before the resignation to the community. It may be provided in the community by-laws that a member is liable to make a payment that is based on the community by-laws, that is payable for the calendar year during which the member resigned, and that was decided upon before the resignation.

Section 15

Registration authority

The Finnish Patent and Registration Office makes decisions on the registration of a religious community and keeps the Register of Religious Communities.

Section 16

Registration of a religious community

A religious community shall be registered if the community is founded in accordance with this Act, the community's by-laws and governance comply with the provisions of this Act, the community's name is clearly distinguishable from the names of communities previously entered in the Register, and the name is not misleading.

Once a community has been entered in the Register of Religious Communities, the Finnish Patent and Registration Office submits a notification of this to the Population Register Centre, which files an entry in the Population Information System stating that the community's founders have joined the community. The information referred to in section 4, subsection 3 on the founding members is appended to the notification.

Section 17

Legal effects of registration

A registered religious community and its registered local community may acquire rights and incur obligations and be a party to legal proceedings in a court of law or before another authority.

The members of a registered religious community are not personally liable for the community's obligations.

Section 18

Notification of establishment

A notification for the registration of a religious community shall be made in the manner specified in section 10 of the Business Information Act (244/2001) using the start-up notification form adopted for this purpose. (463/2017)

The charter of foundation and the community by-laws referred to in section 9 shall be appended to the notification. The notification shall include the full names, addresses, municipalities of residence and personal identity codes of the chairperson of the executive committee of the community and of the authorised signatories, any restrictions on the right to sign for the community under section 36, subsection 3 of the Associations Act, and the information on the founding members of the community referred to in section 4, subsection 3 of this Act. If a person does not have a Finnish personal identity code, his or her date of birth shall be given. Information on all other members of the executive committee may also be provided in the notification. (499/2016)

The chairperson of the community's executive committee or another member of the executive committee with legal capacity notified to the Register shall sign the notification and declare that the provisions of this Act were complied with in the founding of the community. (499/2016)

Section 19

Notification of establishment of a local community

A notification for the registration of a local community shall be made in the manner specified in section 10 of the Business Information Act (244/2001) using the start-up notification form adopted for this purpose. (463/2017)

The local by-laws shall be appended to the notification, if the local community has such. The notification shall include the full names, addresses, municipalities of residence and

personal identity codes of the chairperson of the executive committee of the local community and of the authorised signatories, and any restrictions on the right to sign for the local community under section 36, subsection 3 of the Associations Act. If a person does not have a Finnish personal identity code, his or her date of birth shall be given. Information on all other members of the executive committee may also be provided in the notification. (499/2016)

The chairperson of the community's executive committee or another member of the executive committee with legal capacity notified to the Register shall sign the notification and give the declaration referred to in section 18, subsection 3. (499/2016)

The provisions of section 16, subsection 1 on the registration of a religious community apply, as appropriate, to the registration of a local community.

Section 20

Notification of amendment and dissolution

A notification of amendments made to the community by-laws of a registered religious community and to the local by-laws of a registered local community and a notification of a change of the chairperson of the executive committee, a change of another member of the executive committee entered in the Register and a change of an authorised signatory of the community or a registered local community (*notification of amendment*) shall be submitted to the Register in the manner specified in section 11 of the Business Information Act. (463/2017)

A notification of amendment concerning community by-laws or local by-laws shall be accompanied by the amended community by-laws or the amended local by-laws. An amendment to the community by-laws or local by-laws enters into force when it has been entered in the Register of Religious Communities.

A change of an authorised signatory of the community is deemed to have become known to a third party once the Finnish Patent and Registration Office has entered information on the amendment in the Register of Religious Communities, unless it emerges that the third party has not known or been obliged to know of the amendment. Before an amendment is entered in the Register, it may only be invoked against a party that is proven to have known of the amendment.

The chairperson of the executive committee of a community or a liquidator shall submit a notification of the dissolution of the community or registered local community (*notification of dissolution*) indicating the persons who acted as the liquidators and that liquidation has been completed.

The provisions of section 16, subsection 1 on the registration of a religious community apply to the entry of a notification of amendment and a notification of dissolution in the Register of Religious Communities. The provisions of section 18 on the submission and signing of a notification of establishment apply to the submission and signing of a notification of amendment. A notification of amendment may also be signed by a person authorised by a person responsible for the submission of the notification. In addition, any person who has resigned from his or her position entered in the Register of Religious Communities or whose position entered in the Register has ceased to exist may submit the relevant notification himself or herself. (499/2016)

Section 21

Preliminary check

The Finnish Patent and Registration Office may, upon application of a religious community or its founders, conduct a preliminary check of the community by-laws or their amendment if there are grounds for this due to the size of the community, the significance of the amendment to the community by-laws or another similar reason. A decision given following a preliminary check is binding, unless the community has amended the

community by-laws subjected to the preliminary check. The decision remains in force for two years from the date of issue.

A notification of establishment and a notification of amendment shall indicate the decision concerning the preliminary check and the extent to which the community by-laws have been amended after the preliminary check.

A decision not to conduct a preliminary check may not be appealed against.

Section 22

Information entered in the Register of Religious Communities

The Register of Religious Communities includes the notifications referred to in this Act and their appendices and a list kept of religious communities and registered local communities.

The following information is entered in the list:

- 1) the religious community's name and municipality in which it has its registered office;
- 2) the arrival date and type of notification, registration date and registration number;
- 3) the provision laid down in the community by-laws on the right to sign for the community, and the full name, address, municipality of residence and personal identity code or date of birth of the chairperson of the executive committee and the same information about any other person(s) authorised to sign for the community severally or jointly with another person;
- 4) the preliminary check of the community by-laws or amendments to these, if any conducted;
- 5) the surrender of the community's assets into bankruptcy and the conclusion of bankruptcy proceedings; any warning and temporary operating ban issued to the community; and liquidators or trustees selected or appointed for the community, if any;

- 6) the information referred to in paragraphs 1–3 and 5 on the registered local communities of the community, if any; and
- 7) any other information necessary for the keeping of the Register.

Section 23

Expert Board

The Ministry of Education appoints, for a term of four years, an Expert Board acting under the auspices of the Ministry that is tasked with providing the Finnish Patent and Registration Office with its opinion on whether the purpose and forms of activity of a religious community comply with section 7. Before registration, the Finnish Patent and Registration Office shall request an opinion referred to above concerning a religious community's notification of establishment, notification of amendment concerning the community's purpose and forms of activity, and applications for a preliminary check of these.

The Board has three members. One of the members shall be an expert in religious affairs, one in societal affairs and one in legal affairs. The secretary and presenting officer of the Board is a public official appointed by the Ministry of Education. The Board may consult external experts and request information necessary for the consideration of a matter from the community in question.

The provisions on fees and remunerations paid to government committees apply to fees and remunerations paid to the chairperson, members and secretary of the Board.

Section 24

Deregistration

The Finnish Patent and Registration Office deregisters such a community that for the past ten years has not submitted any notification to the Register of Religious Communities, unless it is shown that the community continues to pursue its activities.

The community shall be given an opportunity to be heard before deregistration.

Section 25

Dissolution of a community and warning

The competent court of first instance of the municipality in which a registered religious community has its registered office may, upon action brought by the Ministry of Education, a public prosecutor or a member of the religious community, declare the community dissolved if the community acts materially against the law or its purpose laid down in the community by-laws.

If the public interest does not require that the community be dissolved, a warning may be issued to the community instead of dissolution.

Section 26

Temporary operating ban

When a matter concerning the dissolution of a registered religious community has been instituted, a court may, at the request of a party, temporarily ban the operations of the community while considering the matter, if it is likely that the community acts in the manner referred to in section 25, subsection 1.

If a court has issued a temporary operating ban, it shall, every time it considers the matter, decide whether the ban shall remain in force. A decision concerning an operating ban may not be appealed against separately.

Section 27

Application of the Associations Act

In addition to the provisions of this Act, the following provisions of the Associations Act on registered associations apply, as appropriate, to a registered religious community:

- 1) the provisions of section 5 on economic activities;
- 2) the provisions of section 9 on bilingualism;
- 3) the provisions of sections 14 and 15 on expulsion from an association and the expulsion procedure;
- 4) the provisions of sections 32–34 on voidability and voidness of and ban on enforcement of a resolution;
- 5) the provisions of section 36 on persons entitled to sign the name of the association;
- 6) the provisions of section 37 on disqualification;
- 7) the provisions of section 38 on audit;
- 8) the provisions of section 39 on liability to pay damages;
- 9) the provisions of sections 40, 41 and 42 on the dissolution of an association;
(499/2016)
- 10) the provisions of section 45 on termination of activities and liquidators;
- 11) the provisions of section 46 on competent court;
- 12) the provisions of section 58 on liability for obligations;
- 13) the provisions of section 60 on obligation of the court to notify; and
- 14) the provisions of section 61 on surrendering assets in bankruptcy.

If power of decision in a registered religious community is exercised by members at meetings, at separate voting events or by post or by delegates of the community, the provisions of section 20, subsections 1 and 2, section 21 and sections 23–31 of the Associations Act also apply, as appropriate, to the power of decision and decision-making procedure, unless otherwise provided by the community by-laws.

If the executive committee has not, within the period of time specified in the community by-laws, convened a meeting of the community or provided any other opportunity for decision-making as specified in the community by-laws, the provisions of section 20, subsection 3 and section 22 of the Associations Act apply, as appropriate, to the right of a member of the community to demand that an opportunity for decision-making be organised.

What is provided on the rules of a registered association in the provisions referred to in subsections 1 and 2 apply to community by-laws. What is provided on the Register of Associations in the provisions referred to in subsections 1 and 2 apply to the Register of Religious Communities.

Chapter 3

Miscellaneous provisions

Section 28

Application of the Assembly Act to public practice of religion

The provisions of the Assembly Act (530/1999) on a public meeting apply to an event where religion is practised in public, unless the event is part of the activities characteristic of the religious community arranged in the community's own premises or in other similar premises.

Section 29

Unlawful continuation of activities of a religious community

Any person who in violation of this Act continues the activities of a registered religious community or a registered local community that has been declared dissolved or on which a temporary operating ban has been imposed, by representing the community or acting on behalf of it or by accepting new members into the community or by holding a meeting or

in another corresponding manner, shall be sentenced to a fine for *unlawful pursuit of activities of a religious community*, unless a more severe punishment for the act is provided elsewhere in the law.

Section 30

Violation of notification obligation concerning information on members of a religious community

Anyone who fails to comply with the notification obligation laid down in section 4, subsection 3 shall be sentenced, unless a more severe punishment for the act is provided elsewhere in the law, to a fine for *a violation of the notification obligation concerning information on members of a religious community*.

A violation of the notification obligation concerning information on members of a religious community need not be reported, a charge for such violation need not be brought or a punishment for such violation need not be imposed, if the party obliged to submit the notification has fulfilled his or her obligation after having been requested to do so or if the violation is otherwise minor.

Chapter 4

Transitional provisions and entry into force

Section 31

Entry into force

This Act enters into force on 1 August 2003.

This Act repeals the following Acts:

- 1) Act on the Freedom of Religion of 10 November 1922 (267/1922), as amended;

- 2) Act on the Right of Finnish Citizens to Serve Their Country regardless of Their Creed of 10 June 1921 (173/1921), as amended;
- 3) Act on the Application of Provisions concerning an Oath of 31 December 1986 (1051/1986); and
- 4) Decree on the Implementation of Act on the Freedom of Religion of 29 December 1922 (334/1922), as amended.

The prohibition of membership in more than one religious community laid down in section 5, subsection 5 of the repealed Freedom of Religion Act applies for a period of three years from the entry into force of this Act.

Section 10 of the repealed Freedom of Religion Act and sections 7–9 of the repealed Decree on the implementation of the Freedom of Religion Act apply for a period of five months from the entry into force of this Act.

The provisions in any other act on a religious denomination apply to a religious community after the entry into force of this Act.

Measures necessary for the implementation of this Act may be undertaken before the Act's entry into force.

Section 32

Provisions contrary to this Act

Where the community by-laws of a religious community registered before the entry into force of this Act contain provisions that are contrary to this Act, the provisions of this Act shall be complied with instead of them.

Section 33

Amending of community by-laws

Religious communities registered before the entry into force of this Act shall add to their community by-laws the provisions concerning auditors referred to in section 10, subsection 1, paragraph 5 and the provisions concerning the accounting period, adoption of financial statements and discharge from liability referred to in section 10, subsection 1, paragraph 6 and submit notifications of amendments concerning these within a period of three years from the entry into force of this Act, if such provisions are not already included in the community by-laws.

Section 34

Consideration of a matter pending at the time of the entry into force of this Act

Notifications concerning the registration of a religious community or amendments to the community by-laws, creed or form of practising religion that are pending at the time of the entry into force of this Act are considered by the Ministry of Education in accordance with the previous Act. However, the Ministry of Education notifies the Finnish Patent and Registration Office of its decisions instead of the Populations Register Centre.

Notwithstanding the provisions of subsection 1, a community may, following the approval of the bill, amend its community by-laws in compliance with the provisions of this Act and submit a notification of amendment concerning this to the Finnish Patent and Registration Office before the entry into force of this Act. Such an amendment to the community by-laws is entered in the Register after the entry into force of this Act.