Act CCVI of 2011

on the right to freedom of conscience and religion and the legal status of churches, denominations and religious communities

Religious communities operating in Hungary are features of outstanding importance for perpetuating values and creating communities in society and which, in addition to their faith-based activities, play a significant role in the country’s and the nation’s life through their upbringing, educational, higher educational, healthcare, charity and social activities; and their services in the field of family, child and youth protection, as well as their cultural, environmental protection, sports and other activities, and also by nurturing national identity. Hungary also recognises and supports the activities of religious communities playing a pivotal role in the life of Hungarian communities abroad.

The National Assembly
– in order to guarantee freedom of conscience and religion, to ensure the autonomy of religious communities as a guarantee of the respect for the beliefs of others, and to regulate relations between religious communities and the State,
– having regard to the Universal Declaration of Human Rights, the Convention on the Protection of Human Rights and Fundamental Freedoms and to international covenants drawn up in relation to the fundamental human right to freedom of conscience and religion, and to the fact that, according to Article 17 of the Treaty on the Functioning of the European Union, the European Union respects and does not prejudice the status of religious communities in the Member States,
– in accordance with the Fundamental Law, and with regard to the constitutional requirement to separate the operation of the State and religious communities, but properly enforcing the principles of working together to their mutual benefit,
– continuing the tradition embodied in the Acts ensuring religious freedom,
– having regard to the religious-ideological neutrality of the State and to the endeavours to ensure the peaceful coexistence of denominations,
– respecting the agreements concluded with the religious communities,
– recognising that the key to promoting the common good is respect for the dignity of the human being, which allows not only individuals and families, but also the religious communities to freely fulfil their mission,
– having special recognition of the outstanding role of the churches, which have a constant determining significance in the history and culture of Hungary;

for the purpose of implementing the Fundamental Law, and on the basis of Article VII (5) of the Fundamental Law, adopts the following Act:

CHAPTER I

RIGHT TO FREEDOM OF CONSCIENCE AND RELIGION

Section 1 (1) The freedom of conscience and religion are fundamental rights of everyone that shall not be made subject to any specific legal form.

(2) The right to freedom of conscience and religion shall include the freedom to choose or change one's religion or other belief freely, and the freedom of everyone to manifest or abstain from manifesting, practising or teaching his religion or other belief through religious acts, rites or otherwise, either individually or jointly with others, either in public or in private life.
(3) No one shall be advantaged or disadvantaged because of the choice, acceptance, manifestation or confession of his conscientious or religious belief, or because of changing or practicing his conscientious or religious belief.

(4) Section 2 A parent or a guardian shall have the right to decide on the moral or religious upbringing and religious education of his minor child, and to provide for it accordingly.

Section 3 (1) The exercise of the freedom of conscience and religion shall be made possible for those cared for in educational, healthcare, social, or family, child or youth protection institutions, as well as for those detained in correctional institutes, both at individual and community level.

(2) During the course of their service, in accordance with the organisations’ operating policy and with meeting the obligation of national defence, those serving in a legal relationship under the Act on the service relationship of the professional staff of organs performing law enforcement duties or in a legal relationship under the Act on the legal status of soldiers shall be free to exercise the right to freedom of conscience and religion.

Section 4 The right to freedom of conscience and religion may also be manifested through forms of communication.

Section 5 (1) State authorities may not collect special data in connection with the right to freedom of conscience and religion. Special data recorded by state authorities at the entry into force of this Act in connection with the freedom of conscience and religion may only be transferred or disclosed with the consent of the data subject or, if he is dead, with the consent of his descendant.

(2) In a census, data in connection with the right to freedom of conscience and religion may be collected on a non-compulsory basis and in a way that cannot be used for identification.

CHAPTER II

LEGAL STATUS OF RELIGIOUS COMMUNITIES

1. Religious activities and general rules on the legal status of religious communities

Section 6 Religious community means any community of natural persons, irrespective of its organisational form, legal personality or name, which was established for the purpose of practicing religion and primarily performs religious activities.

Section 7 (1) A religious community may operate without legal personality or in an organisational form having legal personality.

(2) Religious communities having legal personality shall be the following:
   a) religious associations,
   b) listed churches,
   c) registered churches, and
   d) established churches.

(3) Established churches, registered churches, listed churches and religious associations shall be autonomous organisations consisting of natural persons sharing the same principles of faith that have self-governance.

Section 7/A (1) Religious communities having legal personality shall be free to determine the scope, rules, organisational form and name of their religious activities and other public purpose activities based on those religious activities in accordance with the religious belief of their members.

(2) Religious communities shall pursue activities linked to a worldview that is directed towards the transcendental, has a system of faith-based principles, the teachings of which
relate to existence as a whole, and which embraces the entire human personality through specific codes of conduct (hereinafter “religious activities”).

(3) The following shall not be considered as religious activities per se:

a) political and lobbying activities,
b) mental or emotional health activities,
c) medical activities,
d) business and entrepreneurial activities,
e) upbringing activities,
f) educational activities,
g) higher educational activities,
h) healthcare activities,
i) charity activities,
j) family, child and youth protection activities,
k) cultural activities,
l) sports activities,
m) animal protection, environmental protection or nature conservation activities,
n) data processing activities, which go beyond the data processing necessary for faith-based activities, and
o) social activities.

(4) A religious community may only practise religious activities that are not contrary to the Fundamental Law, do not conflict with the law, and do not violate the rights and freedoms of other communities.

Section 7/B A religious community may use the designation of a church, with a content according to its own principles of faith, in its name and as reference to its activities for the purpose of self-determination.

Section 7/C No reference to the specific form of association shall be included in the name of a religious association.

Section 8 (1) The State shall not operate or establish any organ for controlling or supervising religious communities.

(2) No state coercion shall be used to enforce decisions made on the basis of the principles of faith, the internal laws, the articles of association or the rules of organisation and operation of a religious community, or its other rules equivalent to them (hereinafter jointly “internal rules”); state authorities shall not examine such decisions. State organs shall not modify or override decisions made by a religious community based on internal rules, and they shall have no competence to determine disputes arising from internal legal relationships not regulated by the law.

Section 9 (1) The State and the religious communities having legal personality may cooperate in order to promote the common good. The State may enter into agreements with religious communities having legal personality on performing activities preserving historic and cultural values, upbringing and educational activities, higher education, health care, charitable or social activities, activities of family, child and youth protection, and cultural or sports activities as well as other public purpose activities, taking into account their historic and social role, public acceptance, embeddedness in society, organisation and experiences gained in the course of the public purpose activities traditionally performed by them as well as, tailored to the specificities of the public purpose activities affected by such cooperation, whether the conditions required to perform those activities are satisfied.

(2) The State may, at their request, enter into comprehensive cooperation agreements for an indefinite period of time with religious communities having legal personality that are able and willing, in the long term, to perform public purpose activities of outstanding importance
referred to in paragraph (1), relying upon their organisation, public support, historic and social role and experiences gained in the course of performing such activities (hereinafter “comprehensive agreement”) which may also cover the support for faith-based activities.

2. Religious associations

Section 9/A (1) Natural persons sharing the same principles of faith may establish religious associations for the purpose of practising their religion to perform religious activities.

(2) The rules on associations shall apply to religious associations with the derogations specified in this Act.

Section 9/B The articles of association of a religious association may derogate from the rules on associations when specifying

a) the way of creating membership and exercising membership rights, and
b) the scope, tasks and powers of persons having a legal relationship with the religious association, who are entitled to
ba) make and monitor internal decisions concerning the operation of, and
bb) administer the affairs of and act as the representative of the association.

Section 9/C (1) The State may enter into agreements for a definite period of not more than five years with religious associations on performing certain public purpose activities and supporting faith-based activities. These agreements may be extended on a case by case basis, for a period not longer than the original one.

(2) Religious associations shall be entitled to a part of the personal income tax paid by individuals, offered and determined in accordance with a separate Act.

3. Listed churches

Section 9/D (1) A religious association shall, at its request, be registered as a listed church if

a) in the average of the 3 years preceding the submission of the application for registration, a part of the personal income tax paid, as determined by a separate Act, was offered to it by at least one thousand individuals, and
b) it

ba) has been operating as a religious association at least for 5 years, or
bb) has had an independent international operation in an organised form for at least 100 years.

(2) By way of derogation from paragraph (1), a religious association shall, at its request, be registered as a listed church also if it

a) has at least one thousand recorded members who have their domicile or place of residence in Hungary,

b) has been operating as a religious association at least for 5 years, and

b) makes a statement that, after submitting the application, it will not, either by way of application or outside the system of applications, receive, on the basis of an individual decision, support for its faith-based activities or public purpose activities from the subsectors of the general government, from EU funds or from programmes financed on the basis of international agreements.

(3) International operation, as referred to in paragraph (1) b) bb), shall be assessed on the basis of the following:

a) a certificate issued by churches that have church status in at least two countries other than Hungary and share the same principles of faith as the applicant religious association or listed church has,
b) a certificate of membership issued by a partnership of churches or member churches that operate in at least two countries other than Hungary and share the same principles of faith, or
c) a certificate issued by a global church that embraces partial churches operating in at least two countries other than Hungary.

(4) Listed churches shall be entitled to a part of the personal income tax paid by individuals, offered and determined in accordance with a separate Act.

(5) The State may enter into agreements for a definite period of not more than ten years with listed churches on performing public purpose activities or on supporting faith-based activities. These agreements may be extended on a case by case basis, for a period not longer than the original one. Under these agreements, listed churches may be granted tax benefits or other benefits of similar nature as specified in a separate Act.

(6) The period of operation as a religious association shall include the continuous operation as a church under Act IV of 1990 on the freedom of conscience and religion and on churches (hereinafter “Act IV of 1990”), or as an association performing religious activities as its primary objective or as an organisation performing religious activities under this Act, provided that on the day preceding the entry into force of Act CXXXII of 2018 amending Act CCVI of 2011 on the right to freedom of conscience and religion and the legal status of churches, denominations and religious communities (hereinafter “the Amending Act”), the religious community was included in the register of organisations performing religious activities, or before the entry into force of the Amending Act, it initiated a procedure for the recognition as a church and that procedure has not yet been brought to an end with final and binding effect.

3/A. Registered churches

Section 9/E (1) A religious association shall, at its request, be registered as a registered church if

a) in the average of the 5 years preceding the submission of the application for registration, a part of the personal income tax paid, as determined by a separate Act, was offered to it by at least four thousand individuals and

b) it

ba) has been operating as a religious association at least for 20 years, or

bb) has had an independent international operation in an organised form for at least 100 years.

(2) A listed church shall, at its request, be registered as a registered church if

a) in the average of the 5 years preceding the submission of the application for registration, a part of the personal income tax paid, as determined by a separate Act, was offered to it by four thousand individuals, and

b) it

ba) has been operating as a listed church at least for 15 years, or

bb) has had an independent international operation in an organised form for at least 100 years.

(3) By way of derogation from paragraph (1), a religious association shall, at its request, be registered as a registered church also if it

a) has at least ten thousand recorded members who have their domicile or place of residence in Hungary,

b) has been operating as a religious association at least for 20 years, and

c) makes a statement that, after submitting the application, it will not, either by way of application or outside the system of applications, receive, on the basis of an individual decision, support for its faith-based activities or public purpose activities from the subsectors
(4) By way of derogation from paragraph (2), a listed church shall, at its request, be registered as a registered church also if it
   a) has at least ten thousand recorded members who have their domicile or place of residence in Hungary;
   b) has been operating as a listed church at least for 15 years, and
   c) makes a statement that, after submitting the application, it will not, either by way of application or outside the system of applications, receive, on the basis of an individual decision, support for its faith-based activities or public purpose activities from the subsectors of the general government, from EU funds or from programmes financed on the basis of international agreements.

(5) International operation, as referred to in paragraph (1) b) bb) and paragraph (2) b) (bb), shall be assessed on the basis of the following:
   a) a certificate issued by churches that have church status in at least two countries other than Hungary and share the same principles of faith as the applicant religious association or listed church has,
   b) a certificate of membership issued by a partnership of churches or member churches that operate in at least two countries other than Hungary and share the same principles of faith, or
   c) a certificate issued by a global church that embraces partial churches operating in at least two countries other than Hungary.

(6) The period of operation as a religious association or listed church shall include the continuous operation as a church under Act IV of 1990, or as an association performing religious activities as its primary objective or as an organisation performing religious activities under this Act, provided that on the day preceding the entry into force of the Amending Act, the religious community was included in the register of organisations performing religious activities, or before the entry into force of the Amending Act, it initiated a procedure for recognition as a church and that procedure has not yet been brought to an end with final and binding effect.

Section 9/F
(1) The State may enter into agreements for a definite period of not more than 15 years with registered churches on performing public purpose activities or on supporting faith-based activities. These agreements may be extended on a case by case basis, for a period not longer than the original one. Under these agreements, registered churches may be granted tax benefits or other benefits of similar nature as specified in a separate Act.

(2) Registered churches shall be entitled to a part of the personal income tax paid by individuals, offered and determined in accordance with a separate Act, as well as a supplement thereof granted by the State, or any benefit replacing it.

Section 9/G
(1) Established churches are the registered churches with which the State entered into a comprehensive agreement to cooperate in promoting community objectives. When entering into, or amending, a comprehensive agreement, the minister responsible for the coordination of church relations (hereinafter “the minister”) shall act on behalf of the State.

(2) Registered churches, or established churches that do not have such a comprehensive agreement shall have the right to submit an application for comprehensive agreement to the minister. A comprehensive agreement made with a church that was already an established church at the time of entry into force of the Amending Act shall not be required to be
promulgated in an Act as set out in paragraph (3). Failure to conclude a comprehensive agreement shall not affect the legal status of the established church.

(3) A comprehensive agreement under paragraph (1) and any amendment thereto shall be promulgated in an Act. The Government shall submit a legislative proposal initiating promulgation or the supplementation of the Annex to the National Assembly within 30 days of the entry into force of the agreement. A registered church shall qualify as established church as from the date when the comprehensive agreement is promulgated in an Act and the Annex is supplemented. However, the registered church shall enjoy the rights and take on the obligations arising from the comprehensive agreement from the date of entry into force of the comprehensive agreement.

(4) With respect to the cooperation for community objectives, established churches shall be granted tax benefits or other benefits of similar nature, as well as budgetary support. The detailed rules applicable to such support shall be laid down in an Act.

(5) Established churches shall be entitled to a part of the personal income tax paid by individuals, offered and determined in accordance with a separate Act, as well as a supplement thereof granted by the State, or any benefit replacing it.

(6) Established churches shall enjoy the rights and take on the obligations set out in this Act in the same manner.

(7) The established churches are listed in the Annex.

3/C. Ecclesiastical legal persons

Section 10 Ecclesiastical legal persons are the established churches, registered churches and listed churches, and their internal ecclesiastical legal persons.

Section 11 (1) A unit, organisation or institution of an established church, registered church or listed church that has, according to the church’s internal rules, legal personality shall be a legal person.

(2) An internal ecclesiastical legal person shall operate in accordance with the internal rules of the established church, registered church or listed church; in relationships specified in the internal rules, the internal ecclesiastical legal person of the established church, registered church or listed church shall act on behalf of the established church, registered church or listed church, respectively. The rules relating to the established church, registered church or listed church shall apply accordingly to the internal ecclesiastical legal persons.

(3) An institution of an established church, registered church or listed church performing public purpose activities may, under the internal rules of the established church, registered church or listed church, respectively, qualify as an internal ecclesiastical legal person. A company, foundation or association established by an established church, registered church or listed church shall not qualify as an internal ecclesiastical legal person.

Section 11/A The internal rules of an established church, registered church or listed church may derogate from the general rules laid down by an Act for legal persons when specifying the rules

a) governing

aa) the organisation and representation,

ab) the guarantees for the legitimate operation,

ac) the transformation, merger, division and dissolution without succession

of the established church, registered church, listed church and the internal ecclesiastical legal person, and

b) on establishing internal ecclesiastical legal persons.
CHAPTER II/A

PERSONS IN THE SERVICE OF RELIGIOUS COMMUNITIES HAVING LEGAL PERSONALITY

Section 12 (1) Church personnel are natural persons, as defined in the internal rules of the established church, registered church or listed church, who are in the service of an internal ecclesiastical legal person, and fulfil their service to the church in a specific church service relationship, employment relationship or another legal relationship.

(2) Church personnel shall not be obliged to disclose to state authorities any information affecting personality rights of which they become aware in the course of their faith-related service.

(3) Church personnel shall be granted enhanced protection under infraction law and criminal law.

Section 12/A (1) A member of a religious association who on a professional basis performs religious rites is a natural person who is in the service of the religious association, and performs his service in an employment relationship or another legal relationship.

(2) Section 12 (2) and (3) shall apply to members of a religious association who perform on a professional basis religious rites.

CHAPTER III

REGISTRATION OF RELIGIOUS COMMUNITIES HAVING LEGAL PERSONALITY AND OF INTERNAL ECCLESIASTICAL LEGAL PERSONS

4. Registration of religious communities having legal personality

Section 13 (1) Religious communities having legal personality, except for established churches, shall be registered by the Budapest-Capital Regional Court (hereinafter “the court”). The court shall have exclusive jurisdiction in this matter.

(2) The court shall maintain separate registers for registered churches, listed churches and religious associations (hereinafter jointly “the register”).

(3) The rules relating to the court registration of non-governmental organisations shall apply to the register in matters that are not regulated in this Act.

Section 13/A (1) Upon application for registration as a religious association, the court shall exclusively examine whether

a) representatives of the organisation declared that the purpose of the establishment is to perform religious activities, and this is apparent from the articles of association;

b) the activities that the organisation intends to practice do not conflict with section 7/A (2) to (4), and this is apparent from the articles of association;

c) the name of the organisation complies with the provisions of sections 7/B and 7/C, also taking section 20/A (2) into account;

 d) the establishment of the organisation for religious purposes was declared and its articles of association were adopted by at least ten members;

 e) the organisation has at least ten natural person members who have their domicile or place of residence in Hungary and, based on its articles of association, no one else but natural persons are allowed to be members; and

 f) the applicant enclosed the documents that demonstrate compliance with the requirements set out in points a) to e).

(2) The court may dismiss the application for registration referred to in this section only if the organisation does not comply with any of the requirements specified in paragraph (1) a) to f).
Section 14 (1) The court shall, at its request, register a religious community having legal personality (for the purposes of this section, hereinafter “the applicant”) as a registered church or listed church if

a) the applicant primarily performs religious activities, it has a confession of faith and rites containing the essence of its teachings, and this is apparent from its articles of association;

b) all requirements set out in sections 9/D (1) to (3) and 9/E (1) to (3) are satisfied;

c) the applicant declares that its activities and articles of association do not conflict with section 7/A (2) to (4), and this is apparent from the articles of association;

d) the applicant declares that no sanction was imposed on it for repeated violation of accounting and management standards within 5 years before submitting the application, and no such proceedings are underway;

e) the applicant declares that no criminal measure based on a final and binding decision was applied against it within 5 years before submitting the application, and no such proceedings are underway, and

f) the applicant enclosed the documents that demonstrate compliance with the requirements set out in points a) to e).

(2) The court shall register the applicant as a registered church or a listed church if there has been no national security risk asserted against it. When examining compliance with this requirement, the court shall initiate a procedure for the investigation of national security risk factors as set out in the Act on national security services.

(3) When examining compliance with the requirements set out in sections 9/D (1) b) bb, 9/E (1) b) bb) and 9/E (2) b) bb), the court may use experts having professional qualification and academic degree in church law, history of religion, religious studies or sociology. Church personnel may not be invited to be experts.

(4) The court may dismiss the application for registration referred to in this section only if the applicant does not comply with any of the requirements specified in paragraph (1) a) to f) or in paragraph (2). If proceedings referred to in paragraph (1) d) to e) are underway against the applicant then the court shall suspend the registration procedure until those proceedings are completed with final and binding effect.

(5) The provisions of this section shall apply in the registration procedures referred to in sections 9/D (2) and 9/E (3) to (4), with the proviso that instead of demonstrating compliance with the requirements set out in sections 9/D (1) a), 9/E (1) a) and 9/E (2) a), the statement referred to in sections 9/D (2) c), 9/E (3) c) and 9/E (4) c) shall be enclosed.

Section 14/A (1) If a listed church that was registered under section 9/D (2) receives, either by way of application or outside the system of applications, on the basis of an individual decision, support for its faith-based activities or public purpose activities from the subsectors of the general government, from EU funds or from programmes financed on the basis of international agreements, it shall notify this fact to the court within 15 days of disbursement of the support. Within 8 days of receipt of the notification, the court shall call upon the listed church to confirm, within a time limit of 15 days, that

a) it has repaid the amount of the support to the body which disbursed the support, or

b) if the listed church does not repay the amount of the support then it

ba) applies for its removal from the register of listed churches and, simultaneously, for its registration as a religious association, or

bb) undertakes to meet the requirement set out in section 9 (1) a).

(2) The court shall remove the listed church from the register of listed churches and register it as a religious association if the listed church

a) does not meet the requirement set out in section 9/D (1) a), or

b) fails to make the statement.
(3) If a registered church that was registered under section 9/E (3) receives, either by way of application or outside the system of applications, on the basis of an individual decision, support for its faith-based activities or public purpose activities from the subsectors of the general government, from EU funds or from programmes financed on the basis of international agreements, it shall notify this fact to the court within 15 days of obtaining knowledge of the fact that the support was granted. Within 8 days of receipt of the notification, the court shall call upon the registered church to confirm, within a time limit of 15 days, that
   a) it has repaid the amount of the support to the body which disbursed the support, or
   b) if the registered church does not repay the amount of the support then it
      ba) applies for its removal from the register of registered churches and, simultaneously, for its registration as a religious association, or
      bb) undertakes to meet the requirement set out in section 9/E (1) a).

(4) The court shall remove the registered church from the register of registered churches and register it as a religious association if the registered church
   a) does not meet the requirement set out in section 9/E (1) a), or
   b) fails to make the statement.

(5) If a registered church that was registered under section 9/E (4) receives, either by way of application or outside the system of applications, on the basis of an individual decision, support for its faith-based activities or public purpose activities from the subsectors of the general government, from EU funds or from programmes financed on the basis of international agreements, it shall notify this fact to the court within 15 days of obtaining knowledge of the fact that the support was granted. Within 8 days of receipt of the notification, the court shall call upon the registered church to confirm, within a time limit of 15 days, that
   a) it has repaid the amount of the support to the body which disbursed the support, or
   b) if the registered church does not repay the amount of the support then it
      ba) applies for its removal from the register of registered churches and, simultaneously, for its registration as a listed church, or
      bb) undertakes to meet the condition set out in section 9/E (1) a).

(6) The court shall remove the registered church from the register of registered churches and register it as a listed church if the registered church
   a) does not meet the requirement set out in section 9/E (2) a), or
   b) fails to make the statement.

(7) The religious association shall be the general legal successor of the listed church or the registered church.

(8) If the prosecutor, acting in his competence as specified in an Act, finds that a registered church that was registered under section 9/E (3) to (4) or a listed church that was registered under 9/D (2) has not complied with its notification obligation referred to in paragraphs (1) to (3) then he shall bring an action in accordance with section 26 (1). On the basis of the action of the prosecutor, the court shall apply the legal consequences set out in paragraphs (1) to (3).

Section 14/B (1) Within not more than sixty days of receipt of the application referred to in section 13/A (1) or section 14 (1), or the statement of claim referred to in section 26 (1), the court shall decide on the registration, removal from the register, or on the dismissal of the application or action.

(2) Within the period provided for in paragraph (1), the court shall arrange for the decision ordering or refusing registration or ordering removal from the register to be served on the religious community which submitted the application, the prosecutor and the minister.
(3) Notice shall be given of any change to the data recorded in the register within fifteen days of the relevant change.

(4) Only the documents proving the data affected by the change shall be required to be enclosed to the notice referred to in paragraph (3).

**Section 14/C**

(1) An appeal against the decision ordering or refusing registration of the religious community which submitted the application, or ordering removal from the register may be filed by any of the following:

a) the representative of the religious community which submitted the application,

b) the representative of the religious community having legal personality already registered, by reference to section 20/A, and

c) the prosecutor.

(2) Within 15 days of the day when the decision becomes final and binding, the court shall arrange for the decision ordering or refusing registration or ordering removal from the register to be served on the religious community which submitted the application, the prosecutor and the minister.

(3) The provisions of paragraph (2) shall also apply to the remedy procedure.

**Section 14/D**

**Section 15**
The register shall contain the following particulars of religious communities having legal personality:

a) name and abbreviated name, as well as the commonly used name,

b) seat,

c) name and domicile of the representative,

d) scope and manner of representation, and

e) substantive description of the coat of arms and emblem of the religious community having legal personality, if any.

**Section 15/A**

(1) On the basis of the information received from the court in accordance with section 14/C (2), the minister shall maintain an electronic database of religious communities having legal personality which shall be available to the public free of charge.

(2) The database shall not qualify as a publicly certified register.

**Section 16**
The minister shall register the established church within 30 days of the entry into force of the amendment to this Act concerning the inclusion into the Annex of the established church concerned.

**Section 16/A**

(1) The register shall contain the following particulars of established churches:

a) name and abbreviated name, as well as the commonly used name,

b) seat,

c) name and domicile of the representative, and scope and manner of representation,

d) substantive description of the coat of arms and emblem of the established church, if any.

(2) Upon the amendment of the instrument of incorporation of the established church, the date of amendment, the number of the decision on the registration of the amendment and the date of the decision becoming final and binding shall be registered.

(3) The register shall be kept by the minister. The representative of the established church as a whole or of its supreme body may, in accordance with the rules on the review of administrative decisions, request a court review of a decision made by the minister in connection with keeping the register.

(4) The register shall not qualify as a publicly certified register.
Section 17 (1) The representative of the established church as a whole, of its supreme body or of the direct superior church body of the internal ecclesiastical legal person shall notify changes in the data entered into the register and data required for registration under section 16 to the minister within fifteen days of the change or of the amendment of the instrument of incorporation.

(2) The data of established churches entered into the register shall be publicly available.

5. Registration of internal ecclesiastical legal persons

Section 18 (1) The court or, for established churches, the minister shall register internal ecclesiastical legal persons at the request of the representative of the established church, registered church or listed church as a whole, or of its supreme body, without examination on the merits but having regard to section 11 (3).

(2) The following rules shall apply to the registration of internal ecclesiastical legal persons and to changes in the data entered into the register:

(a) an application for registration of an internal ecclesiastical legal person may be submitted by the representative of the established church, registered church or listed church as a whole, or of its supreme body, or of the direct superior church body of the internal ecclesiastical legal person; the application shall contain data concerning the internal ecclesiastical legal person as specified in section 15 or section 16/A (1);

(b) the court or, for the internal ecclesiastical legal person of an established church, the minister shall assess the application for registration of the internal ecclesiastical legal person exclusively in terms of whether it complies with the provisions set out in point a).

(3) The legal personality of an internal ecclesiastical legal person not entered into the register shall be certified by the representative, notified to the court, of the established church, registered church or listed church as a whole, or of its supreme body, or of the direct superior church body of the internal ecclesiastical legal person, or by an officer of the registered church or listed church authorised thereto in the internal rules of the church.

(4) The data of internal ecclesiastical legal persons entered into the register shall be publicly available.

CHAPTER IV

OPERATION OF RELIGIOUS COMMUNITIES HAVING LEGAL PERSONALITY

6. Support for religious communities having legal personality

Section 19 (1) The State shall grant budgetary support to religious communities having legal personality for their public purpose activities.

(2) For the public purpose activities performed by them or their institutions, established churches and their ecclesiastical legal persons shall be entitled to budgetary support to the same extent as state and local government institutions performing similar activities. For the public purpose activities performed by them or their institutions, registered churches, listed churches and their ecclesiastical legal persons shall be entitled, under a relevant agreement, to budgetary support up to the same extent as state and local government institutions performing similar activities. When entering into the agreement, the requirements set out in section 9 (1) shall be taken into account.

(3) If an ecclesiastical legal person performs, by itself or through its institution, public duty, the entity actually performing the public duty shall be required to publish its data of public interest and data accessible on public interest grounds related to performing the public duty. Even if, in terms of organisation, the institution performing public duty is not separated from its maintainer, only the institution’s data effectively related to performing the public duty, that
are to be recorded separately, shall be published. In neither case shall the publication obligation cover data relating to the internal structure, faith-based activities or decision-making mechanism of the church.

Section 19/A (1) Ecclesiastical legal persons may, in the manner laid down in an Act, organise faith-based education in upbringing-educational institutions maintained by the State, a local government or a national minority self-government, and in institutions of higher education maintained by the State or a national self-government of a national minority.

(2) The material conditions required for faith-based education and the time slots for it which do not clash with other school activities shall be ensured by the upbringing-educational institutions and the institutions of higher education in the manner specified in an Act, while the persons contributing to faith-based education shall be provided by the ecclesiastical legal persons.

(3) The costs of faith-based education, including the costs of faith-based education other than those specified in paragraph (1), shall be borne by the State on the basis of an agreement concluded with the relevant established church, registered church or listed church.

Section 19/B (1) The revenues of religious communities having legal personality shall mainly comprise the donations and other contributions of natural persons, legal persons and organisations without legal personality, as well as the proceeds of these revenues.

(2) Religious communities having legal personality may collect donations, relating to which they shall be entitled to issue certificates in accordance with the laws on corporate tax, dividend tax and personal income tax.

(3) In accordance with the provisions of the law, religious communities having legal personality may, either by way of application or outside the system of applications, receive, on the basis of an individual decision, support from the subsectors of the general government, from EU funds or from programmes financed on the basis of international agreements.

Section 19/C (1) Religious associations shall keep a record of their revenues originating from supports granted for purposes other than faith-based ones, and of the use of such supports, in accordance with the provisions of the Act on accounting and other laws relating to book-keeping.

(2) The revenues of religious associations and ecclesiastical legal persons serving faith-based purposes or the use of those revenues shall not be monitored by state organs. The following shall in particular qualify as revenues serving faith-based purposes: a part of personal income tax that has been offered to a religious association, established church, registered church or listed church, the budgetary supplement thereof in the cases referred to in sections 9/F (2) and 9/G (5) and the allowance to replace it, as well as real estate annuities and their supplement.

(3) Ecclesiastical legal persons shall keep a record of their revenues originating from budgetary supports granted for purposes other than faith-based ones, and of the use of such supports, in accordance with the provisions of the Act on accounting and other laws relating to book-keeping.

Section 19/D (1) The State Audit Office shall monitor the legality of the use of supports granted to religious associations for purposes other than faith-based ones.

(2) The State Audit Office shall monitor the legality of the use of budgetary supports granted to ecclesiastical legal persons for purposes other than faith-based ones.
7. Rules on the operation of religious communities having legal personality

Section 20 (1) Religious communities having legal personality shall operate according to their own internal rules, principles of faith and rites.

(2) Religious communities having legal personality may participate in value-creating work for society; to this end they may perform, by themselves or through their institutions established for such purpose, public purpose activities that are not assigned by an Act exclusively to the State or its institutions.

(3) The ecclesiastical legal person or the religious association shall perform the public purpose activities directly or through its institutions, according to its religious belief, with regard to which requirements that are justified based on the nature or content of the religious-ideological commitment, and necessary for and proportionate to preserving it, and may be laid down for recruitment and for establishing, maintaining and terminating legal relationship for employment.

(4) Public purpose activities performed by an organisation established under Article VIII (2) or XII (1) of the Fundamental Law shall not be taken over by internal ecclesiastical legal persons, either established for such a purpose or already operating, as universal legal successors of that organisation.

(5) Religious communities having legal personality may participate in civil law relationships without any restrictions; in this context they shall be entitled to establish, and to participate in, companies and non-governmental organisations.

Section 20/A (1) The name, system of symbols, rites and commonly used name of religious communities having legal personality shall be granted enhanced legal protection.

(2) The name and symbols of another organisation shall not give the impression that the organisation or its activities relate to the operation of a previously registered religious community.

(3) The name, system of symbols and commonly used name of a religious community having legal personality may not be used by anyone else without the explicit written consent of the religious community to that effect. Use without explicit written consent shall be deemed unauthorised use.

Section 20/B If church personnel or a member of a religious association who performs on a professional basis religious rites render a service to, or perform services for, someone who is not a member of the religious community having legal personality, and this activity can be connected, either directly or indirectly, with that of the religious community having legal personality, he shall be obliged to show or indicate clearly the name of the given religious community having legal personality before offering such service or performance.

Section 20/C Religious communities having legal personality, in particular to ensure that their rites and their operation according to their internal rules are undisturbed, church buildings and other places intended for the practice of religion, as well as cemeteries, shall be granted enhanced protection under infraction law and criminal law.

Section 20/D The possibility of expressing opinions on draft laws and on legislative concepts shall be ensured, in the manner laid down in a law, for religious communities having legal personality.

7/A. Specific rules on the operation of ecclesiastical legal persons

Section 21 With respect to wage, working time and rest periods, the content of the employment relationship of a person employed, in connection with its public purpose tasks, at an ecclesiastical legal person performing public purpose tasks shall conform to public employment relationship, with the proviso that derogations shall be allowed only in favour of
the employee. The central wage policy measures relating to employees of state or local government institutions shall apply, under the same conditions, to such employees.

Section 22 Ecclesiastical legal persons may perform chaplaincy services in the army, in prisons and in hospitals, or other services, in accordance with the law.

Section 23 Ecclesiastical legal persons shall process personal data related to religious activities exercised by them in accordance with the internal rules of the registered church or listed church, and may only transfer or disclose them with the consent of the data subject or, in the event of his death, with the consent of his descendent.

Section 23/A (1) The supports and benefits applicable to religious associations as organisations under section 9/A (2) shall apply accordingly to ecclesiastical legal persons.

(2) In order to achieve their objectives, ecclesiastical legal persons shall be entitled to engage in activities other than economic or entrepreneurial activities and they shall be entitled to engage, besides the activities they primarily perform, in economic or entrepreneurial activities, even outside the framework specified in section 20 (5).

(3) For ecclesiastical legal persons, the following shall not qualify as economic or entrepreneurial activities:
   a) operation of institutions for faith-based activities and activities under section 9 (1),
   b) production or sale of publications or objects of piety that are necessary for faith-based life,
   c) sale of immaterial goods, objects or stocks serving exclusively faith-based activities, including the reimbursement of the cost of work clothes,
   d) provision of services complementary to faith-based activities, non-profit oriented use of appliances serving these activities,
   e) operation of pension institutions or pension funds set up for the purpose of self-support of church personnel, and
   f) consent to the use by others of the name, abbreviated name, commonly used name, coat of arms and emblem of the ecclesiastical legal person.

(4) Revenues from activities under paragraph (3) shall be in particular the following:
   a) consideration, fees and reimbursement paid for services,
   b) recompense, damages, contractual penalty, forfeit money, fines and tax refunds connected to the activity,
   c) financially settled non-repayable support, grants received in connection with the activity, and
   d) the portion of interest, dividend and yield paid by credit institutions and issuers on deposits and securities, made or acquired by means of unengaged funds, in proportion to the revenues generated by activities which do not qualify as business or entrepreneurial activities.

(5) For established churches and their internal ecclesiastical legal persons, the following shall not qualify as business or entrepreneurial activities:
   a) operation of sports institutions, as well as performing environmental protection activities,
   b) making use of holiday homes in the context of providing services to church personnel,
   c) partial usage of real estate used for church purposes,
   d) maintenance of cemeteries,
   e) sale of immaterial goods, objects or stocks serving environmental protection activities or activities under section 9 (1),
   f) provision of services complementary to environmental protection activities or activities under section 9 (1), non-profit oriented use of appliances serving these activities, and
   g) production or sale of products, notes, textbooks, publications or studies created in the course of performing public duties taken over from the State or local governments.
CHAPTER V
TRANSFORMATION AND DISSOLUTION OF RELIGIOUS COMMUNITIES HAVING LEGAL PERSONALITY

Section 24 (1) A religious community having legal personality shall be dissolved upon its removal from the register, on the day when the decision ordering such removal becomes effective.

(2) If the court registers a religious association as registered church or listed church then it shall, at the same time, remove it from the register of religious associations.

(3) If the court registers a listed church as registered church then it shall, at the same time, remove it from the register of listed churches.

(4) If the minister registers a registered church as established church, he shall notify the court thereof within 15 days. Based on the notification from the minister, the court shall remove the registered church from the register of registered churches with retroactive effect from the date of entry into the register kept by the minister.

Section 25 (1) At the request of the representative of the religious community having legal personality, the religious community having legal personality shall be dissolved with succession in the event of its merger by absorption or consolidation with another religious community having legal personality (hereinafter jointly “merger”) or of its complete division into two or more religious communities having legal personality.

(2) The registered church or the listed church shall be the general legal successor of the religious association or listed church removed from the register in accordance with section 24 (2) or (3).

(3) The established church shall be the general legal successor of the registered church removed from the register in accordance with section 24 (4).

(4) A religious community having legal personality, except for an established church, shall be dissolved without succession if
   a) its supreme body has declared its dissolution,
   b) the court dissolves it, or
   c) the court establishes that it has been dissolved.

Section 26 (1) Based on an action brought by the prosecutor, the court shall dissolve a religious community having legal personality, except for an established church, and shall order to remove it from the register if,
   a) according to an opinion of principle of the Constitutional Court, it operates contrary to the Fundamental Law, or
   b) its registration should have been refused.

(2) Based on an action brought by the prosecutor, the court may dissolve a religious community having legal personality, except for an established church, and may order to remove it from the register if its activities resulted in a serious, intentional and repeated violation of law.

(3) Based on an action brought by the prosecutor, the court shall establish that a religious community having legal personality, except for an established church, has been dissolved and shall order to remove it from the register if it abandons its activities and does not dispose of its assets.

Section 27 Following a relevant opinion of principle of the Constitutional Court, the status as an established church of the established church that operates contrary to the Fundamental Law shall be terminated on the basis of a decision of the National Assembly.
Section 28 (1) The established church shall be dissolved without succession if
a) its supreme body decides on its dissolution,
b) it abandons its activities and does not dispose of its assets.
(2) At the request of the representative of the established church, the established church shall be dissolved with succession in the event
a) of its merger with another established church, or
b) of its complete division into two or more established churches.

Section 28/A In the cases specified in sections 27 and 28, the Government shall, on a proposal from the minister, invite the National Assembly to delete the established church concerned from the Annex or, in the event of merger or complete division, to amend the Annex.

Section 29 (1) If an established church, registered church or listed church is dissolved without succession, a settlement procedure shall be launched to which the rules concerning the winding-up of companies terminating without succession shall apply, with the proviso that the court shall have exclusive jurisdiction with regard to this procedure.
(2) If a religious community having legal personality is dissolved without succession then, after the claims of the creditors have been satisfied, its assets shall become the property of the State and shall be used for public purpose activities.
(3) A religious association may merge only with another religious association and may split only into religious associations.

Section 30 (1) If an established church, registered church or listed church is dissolved without succession, the internal ecclesiastical legal person of the established church, registered church or listed church shall also be terminated without succession.
(2) If an internal ecclesiastical legal person is terminated, issues related to the assets shall be regulated by the internal rules of the established church, registered church or listed church.

CHAPTER VI
FINAL PROVISIONS

8 Authorising provisions

Section 31 The Government shall be authorised to determine in a decree
a) the content and the order of submission of applications referred to in section 13/A (1) and section 14 (1),
b) the content and the order of submission of documents that demonstrate compliance with the requirements set out in section 13/A (1) a) to e) and section 14 (1) a) to e),
c) the rules governing the performance of chaplaincy services in the army,
d) the detailed rules for the registers referred to in section 13 (2), sections 16/A to 17 and section 18 (1),
e) the organ authorised to conclude an agreement referred to in section 9/C, section 9/D (3) or section 9/F (1) and the rules for its procedure.

9. Provisions on entry into force

Section 32 (1) With the exceptions specified in paragraphs (2) and (3), this Act shall enter into force on the day following its promulgation.
(2) Chapters I to V, Subtitle 8, Subtitle 10, sections 39 to 48, Subtitle 12, Subtitle 13 and the Annex shall enter into force on 1 January 2012.
(3) Section 52 shall enter into force on 1 September 2012.
10. Transitional provisions

**Section 33** The status of an established church shall remain unchanged if it has this status on the date of entry into force of the provisions of this Act introduced by the Amending Act.

**Section 33/A** (1) A religious community that came into existence as a church on the basis of Act IV of 1990, and has been continuously operating as a church under Act IV of 1990 or as an association performing religious activities as its primary objective or as an organisation performing religious activities under this Act, and is registered as an organisation performing religious activities on the date of entry into force of the Amending Act, shall qualify as a religious association as from the date of entry into force of the Amending Act.

(2) As from the entry into force of the Amending Act, a religious community that came into existence as a church on the basis of Act IV of 1990 and was covered by sections 34 (1), (2) and (4) of this Act as in force from 1 January 2012 to 31 August 2012 shall also qualify as a religious association, provided that it initiated
   a) a procedure referred to in section 33 (3) b) or c) of this Act as in force on 1 September 2013,
   b) a procedure provided in the Convention for the Protection of Human Rights and Fundamental Freedoms signed at Rome on 4 November 1950, promulgated in Act XXXI of 1993, or
   c) any other remedy procedures related to the enforcement of their claim concerning the status of church within a statutory time limit set out in a separate law.

(3) A religious community registered as an association performing religious activities as its primary objective after the entry into force of this Act or as an organisation performing religious activities at the time of entry into force of the Amending Act shall qualify as a religious association as from the date of entry into force of the Amending Act.

**Section 34** The National Assembly shall recognise and observe all agreements that were entered into with established churches before the entry into force of the Amending Act.

**Section 35** (1) A religious community under section 33 (3) and (4) of this Act as in force on 14 April 2019 may initiate its registration as a listed church with the court within 45 days of the entry into force of the Amending Act, unless it initiated a procedure referred to in section 33 (4) of this Act as in force on 14 April 2019.

(2) If a religious community under section 33 (3) and (4) of this Act as in force on 14 April 2019 initiates its registration as a listed church within the time limit set out in paragraph (1), the court shall make its decision as a matter of priority, but within 30 days of the submission of the application at the latest.

(3) If the court registers a religious community under section 33 (3) and (4) of this Act as in force on 14 April 2019 as a listed church, the religious community shall qualify as a listed church as from the date of entry into force of the Amending Act.

(4) With respect to the registration in accordance with this section of a religious community under section 33 (4) of this Act as in force on 14 April 2019, the condition provided for in section 9/D (1) a) shall also be satisfied if, in the average of the 3 years preceding the entry into force of this Act, a part of the personal income tax paid, as determined by a separate Act, was offered to the religious community by at least one thousand individuals.

(5) With respect to the registration in accordance with this section of a religious community under section 33 (4) of this Act as in force on 14 April 2019, the condition provided for in section 14 (1) e) shall also be satisfied if, within 5 years before the entry into force of this Act, no sanction was imposed on it for repeated violation of accounting and management standards.

(6) With regard to a religious community under section 33 (4) of this Act as in force on 14 April 2019, for the purposes of section 9/D, the period of operation as a religious
association shall include the continuous operation as a church under Act IV of 1990, or as a religious community under this Act.

**Section 36**

(1) A religious community under section 33 (3) and (4) of this Act as in force on 14 April 2019 may initiate its registration as a registered church with the court within 45 days of the entry into force of the Amending Act.

(2) If a religious community under section 33 (3) and (4) of this Act as in force on 14 April 2019 initiates its registration as a registered church within the time limit set out in paragraph (1), the court shall make its decision as a matter of priority, but within 30 days of the submission of the application at the latest.

(3) If the court registers a religious community under section 33 (3) and (4) of this Act as in force on 14 April 2019 as a registered church, the religious community shall qualify as an registered church as from the date of entry into force of the Amending Act.

(4) With respect to the registration in accordance with this section of a religious community under section 33 (4) of this Act as in force on 14 April 2019, the condition provided for in section 9/E (1) a) shall also be satisfied if, in the average of the 5 years preceding the entry into force of this Act, a part of the personal income tax paid, as determined by a separate Act, was offered to the religious community by at least four thousand individuals.

(5) With respect to the registration in accordance with this section of a religious community under section 33 (4) of this Act as in force on 14 April 2019, the condition provided for in section 14 (1) e) shall also be satisfied if, within 5 years before the entry into force of this Act, no sanction was imposed on it for repeated violation of accounting and management standards.

(6) With regard to a religious community under section 33 (4) of this Act as in force on 14 April 2019, for the purposes of section 9/E, the period of operation as a religious association shall include the continuous operation as a church under Act IV of 1990, or as a religious community under this Act.

(7) With regard to a religious community which had a procedure for its recognition as a church underway before the National Assembly, but the National Assembly has made no decision, the court shall not examine section 9/D (1) a) of this Act.

**Section 37**

(1) On the day of entry into force of the Amending Act, the following shall be terminated:

a) procedures for the recognition of an organisation performing religious activities as a church which are underway before the National Assembly,

b) procedures for the registration of an organisation performing religious activities which are underway before the court,

c) ongoing administrative authority procedures referred to in section 14/B (2) of this Act as in force on 1 August 2013,

d) church registration procedures underway on the basis of Decision 6/2013. (III.1.) AB of the Constitutional Court, and

e) winding-up procedures of religious communities under section 33 (3) of this Act as in force on 14 April 2019 as provided for in section 33 (5) of this Act as in force on 1 September 2013.

(2) In the procedures terminated under paragraph (1) b) to d), the Office of the National Assembly, the court or the minister shall return the documents submitted by the party instituting the procedure to that party within 30 days of the day referred to in section 28 (1).

(3) In the procedures terminated under paragraph (1) a), the Office of the National Assembly shall send the documents submitted by the party instituting the procedure or by the minister to the court within 15 days of the entry into force of the Amending Act, and shall, at the same time, notify the party instituting the procedure of this.
**Section 38** The court shall transfer all data relating to the registration of organisations performing religious activities into the register of religious associations provided for in section 12 (2) within thirty days of the entry into force of the Amending Act. The procedure relating to the registration of changes shall be free of fees and charges. No amendment to the instrument of incorporation of an organisation performing religious activities shall be required in relation to the Amending Act if it was necessary for the only reason that the instrument of incorporation uses the specific wording, especially regarding the designation of the nature of organisation, that the Act used prior to the entry into force of the Amending Act. However, if the instrument of incorporation is amended for any other reason, the religious community shall enter all changes complying with the Amending Act in it.

**Section 38/A** Taking account of the Cooperation Agreement entered into between the Government of the Republic of Hungary and the Sovereign Military Hospitaller Order of Saint John of Jerusalem, of Rhodes and of Malta (hereinafter “Sovereign Military Order of Malta”), any support available to the internal ecclesiastical legal persons of established churches shall be due to the Sovereign Military Order of Malta and the organisations specified in the Agreement, and the provisions of sections 20/A and 20/C shall also apply to them.

**Section 38/B** Religious communities having legal personality which, prior to the entry into force of this Act, on the basis of a separate Act, entered into an agreement on performing public duties shall be entitled to support under the conditions set out in the Agreement.

11. **Amending provisions**

**Section 39**

**Section 40**

**Section 41**

**Section 42**

**Section 43**

**Section 44**

**Section 45**

**Section 46**

**Section 47**

**Section 48**

**Section 49**

**Section 50**

**Section 51**

**Section 52**

**Section 53**

12. **Repealing provisions**

**Section 54**

13. **Compliance with the requirement of the Fundamental Law on cardinality**

**Section 55** Provisions of this Act qualify as cardinal as follows:

- **a)** sections 6 to 9, sections 9/C to 12, sections 13 to 15, sections 16 to 19/C, sections 20 to 30, sections 33 to 38, section 38/B and the Annex on the basis of Article VII (5) of the Fundamental Law,

- **b)** section 19/D on the basis of Article 43 (4) of the Fundamental Law.
### Annex to Act CCVI of 2011

#### Established churches

<table>
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<td>2</td>
<td>Magyarországi Református Egyház (Reformed Church in Hungary)</td>
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<td>3</td>
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<td>Egységes Magyarországi Izraelita Hitközség (Statusquo Ante) (United Hungarian Jewish Community (Statusquo Ante))</td>
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<td>6</td>
<td>Magyarországi Autonóm Orthodox Izraelita Hitközség (Autonomous Orthodox Jewish Religious Community in Hungary)</td>
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