

DECISION no. 186 of February 20, 2008
on the recognition of the Statute of the Reformed Church in Romania
ISSUER: GOVERNMENT
PUBLISHED IN: THE OFFICIAL GAZETTE no. 171 of March 5, 2008

Pursuant to art. 108 of the Romanian Constitution, republished, as well as of art. 49 para. (2) and (3) of Law no. 489/2006 on religious freedom and the general regime of cults,

The Government of Romania adopts the present decision:

ARTICLE 1

The Statute of the Reformed Church in Romania is recognized, as provided in the annex which is an integral part of this decision.

ARTICLE 2

On the date of entry into force of this decision, Decree no. 591/1949 is repealed for the approval of the Statute of the Reformed Church in Romania, unpublished, with subsequent amendments and completions.

THE PRIME MINISTER
CĂLIN POPESCU-TĂRICEANU

Countersigned by:
Minister of Culture and Religious Affairs,
Adrian Iorgulescu

Bucharest, February 20, 2008.
No. 186.

ANNEX:

STATUTE Of the Reformed Church in Romania

CHAPTER I.

General specifications

1. §.

(1) The Reformed Church in Romania belongs to the Holy Apostolic Church of Jesus Christ. The church is the body of Christ. Based on the whole of the Holy Scripture, as an expression of its faith, it appropriates the Nicene-Constantinopolitan Creed, the Apostolic Creed, The Second Helvetic Confession (1566) and the Heidelberg Catechism (1563). The Reformed Church in Romania, in its historical evolution, bore the following appellations: "Evangelico Reformata, vulgo Calviniana", "Helvét Hitvallású Evangéliumi Református Egyház" (Reformed Evangelical Church of the Helvetic Confession), "Református Egyház" (Reformed Church) and the Calvinist Reformed Cult.

(2) The Reformed Church in Romania, through the identity of the basic principles of its denomination, forms a synodal unity with all the reformed churches of Hungarian language, it forms a communion of faith, spiritual and love fellowship with all the Reformed churches of the world. In the community of the holy universal Christian Church promotes ecumenical relations.

2. §.

The dedication of the Reformed Church in Romania is to proclaim the Word of God in accordance with Holy Scripture and the acquired confessions, to share the sacraments (baptism, communion), the exercise of church discipline, Christian education, Christian mission and diakonia, in order to maintain the unity of faith and peace among the members of the Reformed church.

3. §.

The members of the Reformed Church in Romania are those who have been baptized, profess themselves of the Reformed religion before the church and public authorities, are registered members of a Reformed congregation - from anywhere in the world - and adopt the confessions and bylaws of the Reformed church.

4. §.

(1) In the Reformed Church in Romania the language used in the worships and in the internal administration is the Hungarian.

(2) The financial-accounting records are kept according to Law no. 489/2006 on religious freedom and the general order of cults.

5. §.

(1) The Reformed Church in Romania recognizes and respects the Romanian Constitution and laws.

(2) The Reformed Church in Romania, in its organizing, legislating, governing, supervising and applying internal discipline, is autonomous and independent. Its autonomy is guaranteed by the Romanian Constitution.

CHAPTER II.

Organizational structure

6. §.

(1) The Reformed Church in Romania consists of congregations.

(2) The congregation is the organized community of the church members on a delimited territory, in order to ensure the divine services and the other religious activities, according to the internal bylaws and the acquired confessions.

(3) In order to govern, organize, supervise, respectively apply the discipline, several congregations form dioceses, several dioceses form church districts, and districts form the Reformed Church in Romania.

(4) The Reformed Church in Romania, its congregations, dioceses and districts are legal entities with the right of self-government.

(5) Congregations are established at the express will of Reformed church members living in a specific administrative area, with the approval of higher ecclesiastical bodies.

Congregations are dissolved if they can no longer fulfill their purpose for which they were established, by the decision of the members of the Parish General Assembly, followed by the approval of the superior church forums. The patrimony of the dissolved congregation will be taken over by the parish to which the members have been assigned.

(6) The establishment, abolition or change of the territorial delimitation of the dioceses is made by the decision of the Church District General Assembly, and that of the districts is brought forth by the Synod decision of the Reformed Church in Romania.

CHAPTER III.

Governing and control bodies

7. §. (1) The Reformed Church in Romania is governed at all levels on the basis of the Holy Scriptures and its confessions, according to the synod-presbyteral principles, through bodies elected by the church members.

(2) The governing and representative bodies of the congregation are: The parish general assembly and the parish council. The presidency of both bodies consists of the pastor and the first elder (curator). The parish general assembly consists of the adult members of the congregation who have paid their permanent contribution for the current year. The members of the Parish Council, the elders (presbyters), are elected by the Parish General Assembly, their number is established according to the number of parishioners in the congregation, respectively minimum 4 to maximum 36. The Parish General Assembly and the Parish Council take valid decisions by a majority of the votes of those present. The responsibilities of the Parish General Assembly are regulated by the internal laws of the Reformed Church in Romania.

(3) The governing and representative bodies of the diocese are: The General Assembly of the Diocese and the Council of the Diocese. The presidency of both bodies consists of the dean and the first elder. The general assembly of the diocese consists of pastors and lay (presbyters) representatives of the parishes. The Councilmembers of the Diocese are elected by the General Assembly of the Diocese, in numbers of 6 to 10, equally, from among the pastors and elders. The General Assembly of the Diocese and the Diocese Council take valid decisions by a majority of the votes of those present. The responsibilities of the General Assembly of the Diocese are regulated by the internal laws of the Reformed Church in Romania.

(4) The governing and representative bodies of the diocese are:

The Church District General Assembly and the Board of Directors. The presidency of both bodies consists of the bishop and the first elder of the Church District (executive prime-curator). The church district general assembly consists of deans, deputy deans (vicars), first elders of the dioceses and representatives of the dioceses elected equally between pastors and elders. Members of the Board of Directors are elected by the Church District General Assembly, their number being established by the Church District General Assembly. The Church District General Assembly and the Board of Directors take valid decisions by a majority of the votes of those present. The responsibilities of the Church District General Assembly are regulated by the internal laws of the Reformed Church in Romania.

(5) The regulations adopted by these bodies enter into force after their approval by the hierarchically superior bodies.

(6) The supreme legislative and representative body of the Reformed Church in Romania is the Synod of the Reformed Church in Romania, hereinafter referred to as the Synod, and the supreme executive body is the Permanent Council of the Synod. The presidency of both supreme bodies is composed of bishops and first elders (executive prime-curators) of the church districts. The members of the Permanent Council are elected by the Synod. The Synod and the Permanent Council take valid decisions by a majority of the votes of those present.

- (7) The Plenary of the Synod elects its chairmen for the plenary cycles (a pastor and an elder). They are also the chairmen of the of the Permanent Council meetings of the Synod for that period.
- (8) The laws of the Reformed Church in Romania are adopted, approved and implemented by the Synod. The functioning of the Synod is ensured by the secretariat of the Synod (convent), which functions under the guidance of the Permanent Council of the Synod.
- (9) The interpretation of the laws, regulations, internal church decisions, as well as the taking of decisions in legislative litigations belong to the competence of the Constitutional Court of the Synod. Its members are elected by the Synod, according to the rules of procedure of the Synod.
- (10) In order to fulfill their responsibilities, the church bodies, at all levels, may set up specialized commissions.
- (11) The control and appeal authorities of the parishes are the dioceses, those of the dioceses, the districts, and the control and appeal authority of the districts is the Synod.

CHAPTER IV.

Church staff

8. §.

- (1) Within the Reformed Church in Romania there are the following basic functions: pastor, elder (presbyter), deacon (social worker). The functions are of the same rank.
- (2) Pastors are qualified in education institutions of university level recognized by the Reformed Church in Romania. Pastors are elected by the general assembly of the congregation. Their employment and dismissal take place in accordance with church laws and the Labor Code. The suspension of the pastor's activity (except for the temporary intermission in case of disciplinary investigations), his/her transfer or the definitive prohibition to practice this profession is possible only in a disciplinary way, in accordance with the church disciplinary regulations. The person who was prohibited to practice the profession of pastor, no longer has the right to serve in the Reformed Church in Romania. Violation of this provision is sanctioned according to the criminal law.
- (3) The elders and deacons are elected by the Congregation General Assembly from among the members with the right to be elected, worthy to fulfill these functions. The prime curator (curator) is elected by the Parish Council from among the elders (presbyters).
- (4) The representatives of the diocese are: the dean, the first elder (prime curator) of the diocese, the deputy dean of the diocese (vicar) and the curator of the archdiocese. They are elected by the Diocese General Assembly.
- (5) The representatives of the district are: the bishop, the prime curator and the vicar bishop, who is the deputy of the bishop. They are elected by the General Assembly of the Church District.

(6) The term of office (mandate) of those elected is 6 years and they may be re-elected. Exceptions are the first elder (prime-curator) and curator of the congregation, who are elected by the Parish Council for a period of 3 years. Upon expiry of their term of office, they may be re-elected. After the expiration of the 6-year term, the dean, the prime-curator of the diocese, the bishop, the prime-curator of the district, respectively the presidents of the Synod may be re-elected for a consecutive term only once in that body in which they carry out their activity.

(7) If for the fulfillment of some functions the seniority in position is taken into account, this will refer to the duration of the period of time in the same position. The exercise or transfer of functions related to seniority in office is regulated by the internal laws of the Reformed Church in Romania.

(8) All the bodies with the right of self-government of the Reformed Church in Romania may hire officials (cantors, accountants, secretaries, legal advisers, caretakers, etc.), in order to fulfill their tasks.

(9) No member of the church - as an official or as an elected member of a church body - may participate in debates, measures and decisions in cases where he/she is personally interested or his wife/her husband, respectively relatives in straight or collateral line up to the fourth degree, brother-in-law or sister-in-law; nor in cases where he/she is or has been the legal representative or proxy of one of the parties.

(10) If the members of the Reformed Church in Romania, as parishioners or as dignitaries, officials or proxies empowered to perform certain tasks, intentionally or negligently commit acts causing material damage to the church, are liable materially, disciplinary, civil and criminal.

CHAPTER V.

Church institutions

9. §.

(1) The Reformed Church of Romania and its bodies with the right of self-government, in order to fulfill their tasks, may establish:

a) educational institutions: theological institute of university degree, university with faculties for the training of religion teachers, deacons, cantors; faculties with other profiles and specializations; secondary schools, vocational schools, primary schools, general schools and other schools; kindergartens, respectively nurseries and colleagues for them. These educational institutions operate according to the regulations elaborated and approved by the Synod and according to the state legislation in the field;

- b) charitable institutions: charitable units and hospitals for the care and treatment of the sick, the elderly, orphans, abandoned children, people with disabilities, as well as other special charitable units;
- c) Foundations, associations, book and magazine publishers, radio and television broadcasters and programs;
- d) federations, conferences, professional colleges;
- e) pension institution and mutual aid funds, which operates according to the regulations approved by the Synod.

(2) The statutes of the institutions listed under letters b) -d) are approved by the competent church forums.

(3) The functioning of all the institutions established for the purpose of fulfilling the tasks of the church is in accordance with the right of free practice of the religious faith. They are the instruments received from the Lord Jesus Christ for the service of the Church, which, as such, are subject to the government, organization and supervision of the competent church forums.

CHAPTER VI.

Material funds

10. §.

(1) The Reformed Church of Romania provides the material basis necessary to fulfill its mission from the permanent contributions of the church members, from personal donations, state subsidies, from aids, rents, incomes from the activity of foundations, of economic, commercial units and from other incomes.

(2) The Reformed Church in Romania, the districts, respectively the bodies and institutions with the right of self-government may establish or receive for administration economic, commercial units, financial or other funds, in order to subsidize the church activities.

Their operation is regulated by special internal laws.

(3) All educational institutions, associations, conferences, federations, formations, foundations established or recognized by the church, in accordance with state laws, are under the governance, administration and supervision of the self-governing bodies of the church, requesting fiscal facilities and financial support from the state.

CHAPTER VII.

Church discipline

11. §.

(1) The resolution of disciplinary cases is the competence of the parish, diocesan, church district disciplinary commissions, respectively of the Disciplinary Commission of the

Synod of the Reformed Church in Romania. The disciplinary commissions are elected by the general assemblies at the corresponding levels, respectively by the Plenary of the Synod. These commissions carry out their activity in meetings, with the presence of all members, according to the discipline regulations.

(2) Disciplinary cases concerning all parishioners, dignitaries, officials and employees of the church fall within the competence of the disciplinary commissions.

(3) The church discipline is of two levels. The decisions of the court of first instance can be appealed to the hierarchically superior disciplinary commissions, whose sentence is final and irrevocable. The final decision commanding the exclusion of a priest from the clergy can be appealed to the Disciplinary Commission of the Synod. The persons in case of which a final sentence has been pronounced can address the civil courts of law. The church discipline and the disciplinary procedure is applied according to the discipline regulation of the Reformed Church in Romania.

CHAPTER VIII.

Constitutional protection

12. §.

(1) The Reformed Church in Romania is self-governing in accordance with the present statute, on the basis of the laws adopted by the Synod, of the regulations and dispositions adopted by the other ecclesiastical bodies. In order to fulfill its mission, of serving God, expects the help and protection of the state authorities and organs for:

- a) the implementation and guarantee of religious freedom, of freedom of press, of church autonomy to organize and function freely;
- b) the protection of the undisturbed and free worship and in the protection of church servants and attendants involved in worship;
- c) supporting the sustained efforts for the restitution of the expropriated real estates and institutions, the material and spiritual possessions, the remedy of the damages suffered by the church, caused by the totalitarian regime of the past;
- d) the protection of church members persecuted because of their religious beliefs or if they are obliged to participate in religious ceremonies contrary to their convictions.

(2) In case of failure to ensure the above constitutional, legal protection, or those provided in international treaties, after exhausting all domestic legal possibilities, the Reformed Church in Romania reserves the right, in motivated cases, to address and call on the help of ecumenical organizations or international forums.

13. §.

The central governing and representative body of the Reformed Church in Romania is the Synod, based in Kolozsvár (Cluj-Napoca), I.C. Brătianu no. 51-53. Romania.

CHAPTER IX.
Final provisions

14. §.

This Statute may be amended or supplemented by a two-thirds majority of the votes cast by the members of the Synod.

15. §.

This statute was adopted on December 5, 2007. by the Synod of the Reformed Church in Romania on the second session of the First Assembly, opened on February 12, 2007 in Kolozsvár, and enters into force within 30 days from its publication. On the date of entry into force of this statute, the Statute of the Reformed Church in Romania, approved by the Presidium of the Great National Assembly of the Romanian People's Republic by Decree no. 591 of June 1, 1949, is repealed.

Translated by
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