

**DIRECTORIUM SUPERIORUM**  
**CONGREGATIO SS. REDEMPTORIS**

**DIRECTORY OF SUPERIORS**  
**CONGREGATION OF THE MOST HOLY REDEEMER**



**Fifth Edition (Provisional)**  
**English Text**

**Curia Generalis C.Ss.R.**  
**Rome 2018**



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# TABLE OF CONTENTS

Letter of Superior General.....	xi
Decree of Promulgation .....	xiv
Confirmation of Decree of Promulgation.....	xvi
Introduction .....	xvii
Abbreviations .....	xix

## PART I

### LIST OF COMPETENCIES OF SUPERIORS

#### Chapter I. Competencies of the General Government

Art. A: In General.....	3
Art. B: Competencies of the Superior General .....	3
Art. C: The Consultative Vote of the General Consultors....	4
Art. D: The Deliberative Vote of the General Council.....	5
Art. E: The General Council as a College .....	10

#### Chapter II. Competencies of the Provincial Government

Art. F: The Consultative Vote of the Ordinary Provincial Consultors.....	13
Art. G: The Deliberative Vote of the Ordinary Provincial Council .....	13
Art. H: The Deliberative Vote of the Extraordinary Provincial Council .....	14
Art. J: The Extraordinary Provincial Council as a College .....	14

#### Chapter III. Competencies of (Vice-)provincial Govern- ments

Art. K: Competencies of the (Vice-)provincial Superior ...	17
Art. L: The Consultative Vote of the Ordinary (Vice-)provincial Consultors .....	20

Art. M: The Deliberative Vote of the Ordinary  
(Vice-)provincial Council ..... 21

Art. N: The Ordinary (Vice-)provincial Council as a  
College ..... 24

Art. P: The Deliberative Vote of the Extraordinary  
(Vice-)provincial Council..... 24

Art. Q: The Extraordinary (Vice-)provincial Council  
as a College ..... 26

**Chapter IV. Competencies of All Superiors**

Art. R: Competencies of All Superiors..... 29

**Chapter V. Competencies of Conferences**

Art. S: Competencies of Conferences..... 31

Art. T: Competencies of Conference Assembly..... 31

Art. U: Office of the Coordinator ..... 33

**PART II**

**COMMENTARY ON PARTICULAR MATTERS OF LAW**

**Chapter I. Offices and Councils**

Section 100: Designation, Renunciation and Resignation of Offices..... 39

Section 200: Councils ..... 51

**Chapter II. Business with the General Government**

Section 300: Guidelines for Business ..... 59

Section 400: Reports to be sent to the General Government...61

### **Chapter III. Liturgy and Sacred Orders**

Section 500: Liturgy.....	69
Section 600: Requisites for Orders .....	74

### **Chapter IV. Foundations and Temporal Goods**

Section 700: Communities, Houses and Residences .....	81
Section 800: Parishes.....	87
Section 900: Temporal Goods.....	89

### **Chapter V. Admission to and Association with the Congregation**

Section 1000: Novitiate.....	105
Section 1100: Religious Profession.....	112
Section 1200: Return to the Congregation .....	120
Section 1300: Oblates and Lay Missionaries (LMMHR) .	122

### **Chapter VI. Absence from the Religious Community**

Section 1400: Permission for Absence .....	125
Section 1500: Exclaustration.....	131

### **Chapter VII. Departure from the Congregation**

Section 1600: Termination of Vows.....	137
Section 1700: Incardination .....	141
Section 1800: Transfer to another Institute .....	147

### **Chapter VIII. Dismissal from the Congregation**

Section 1900: Dismissal from the Congregation .....	149
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**Chapter IX. Loss of the Clerical State (Laicization)**

Section 2000: Loss of the Clerical State (Laicization) ..... 159

**Chapter X. More Grave Crimes against the Faith, the Sacraments, and Morals**

Section 2100: *Graviora Delicta* ..... 165

**PART III  
DOCUMENTS**

Document 1: Matters Requiring the Opinion of Absent  
Members of the General Council ..... 177  
Document 2: Delegation of Privileges ..... 179  
Document 3: Decree on General Statutes..... 181  
Document 4: Decree on Initial Formation ..... 183

**PART IV  
TABLES AND INDICES**

Table A: List of Canons cited in text ..... 185  
Table B: List of Oriental Canons cited in text..... 191  
Table C: List of Constitutions and Statutes cited in text.... 195  
Topical Index (Alphabetical English terms) ..... 199

**DIRECTORY OF SUPERIORS**  
**CONGREGATION OF THE MOST HOLY REDEEMER**

**Fifth Edition**

**English Text**



## LETTER FROM THE SUPERIOR GENERAL

In the light of recent developments in the Congregation, the General Council has prepared a new edition of the Directory of Superiors for presentation to the 26<sup>th</sup> General Chapter. This Directory is the General Council's effort to ensure that our law and the interpretation of that law is up to date.

Because the General Council believes it would be in the best interest of the Congregation and of the work of the next General Chapter to give this Directory a period of trial before the chapter, it has decreed this new edition to have the force of law as of 21 April 2019 until its approval or revision by the next General Chapter.

This edition has been the work of the General Curia of the Congregation, has been subjected to several reviews by canon lawyers, and has been studied by all the members of the General Council before its promulgation. In compliance with the decision of the 25th General Chapter, the Directory is being published simultaneously in three languages: English, Spanish, and Italian. The English text is considered the official text.

It is important to note the different types of material found in this Directory.

The First Part contains a list of the faculties of the various superiors in the Congregation. According to the provisions of General Statute 03, this First Part (and only the First Part) has the force of law for the entire Congregation. The Third Chapter of this First Part, which contains the faculties which (Vice-) provincial Superiors and their councils enjoy, may be modified by (vice-)provincial statutes in the manner described in the introduction to that section. This means that a requirement for the (Vice-)provincial Superior to obtain a certain type of vote from his councils may be modified by (vice-)provincial statutes, **provided that the requirement arises solely from its inclusion in the First Part of this Directory.** If the requirement arises from the Code of Canon Law, our Constitutions, our General

Statutes, or a similar form of legislation, it may be modified only to the extent that the legislation involved allows.

The Second Part of the Directory contains a commentary on legal matters that affect superiors and indicates the procedures involved in certain types of business with the General Government or the Holy See. In itself this part has **no force of law**. Only to the extent that some point is restating a norm of Canon Law, or our Constitutions and Statutes, etc., does the norm have any legal force. This Second Part is therefore a semi-official commentary. It indicates the position taken by the General Government and offers guidance to superiors on conducting the business involved. It does not rule out contrary legal opinions. It may also be modified if the practice of the Holy See or the General Government changes.

The Third Part of the Directory contains certain documents which bear upon the material in the Directory and which are not easily found elsewhere. The inclusion of these documents is informational; they have the legal force which they received in their initial publication or subsequent approval by competent authorities.

The Final Part of the Directory is a set of tables and indices for locating material quickly in the Directory.

A *Supplement* to this Directory is also being published **online**. This *Supplement* contains the forms for legal documents that superiors are called upon to use such as the forms for the profession of novices, for communicating reports to the General Government, etc. Some are indicated as samples which will help in formulating documents, for example, contracts between (vice-)provinces. Others are the precise forms to be used in the matters involved.

This Directory is primarily a legal text and commentary, just as is the Directory of Chapters. It has been the attitude of our General Chapters that the major texts of our Congregation, such as the Constitutions and General Statutes, should not be primarily legalistic in form. While they oblige us as Redemptor-

ists, they are meant to convey a sense of pastoral guidance, or spiritual call. The technicalities of law which are necessary for a society of human persons are to be found in the Directories, clearly indicating that they are to be seen as a supportive structure and not as the primary nature of our Redemptorist life. This Directory of Superiors is therefore legalistic and practical in form and tone; in this way it helps to complete the sum of necessary parts for the life of our Congregation.

The General Council hopes that this Directory will prove to be the practical guide to our superiors that it is intended to be. May the intercession of our holy founder St. Alphonsus, who was an outstanding example to the Church of the balancing of law and human life, help all superiors who use this Directory to lead the Congregation kindly, wisely and safely on the road to realizing in itself and in the world the plentiful redemption of Christ the Redeemer.

Sincerely in J.M.J.A.,

*Michael Brehl, C.S.S.R.*

Michael Brehl, C.S.S.R.  
Superior General

Given in Rome, 24 December 2018



**DECREE OF PROMULGATION OF FIFTH EDITION (2018)  
OF THE DIRECTORY OF SUPERIORS**

Prot. No. 0000 277/2018

**The General Council  
of the Congregation of the Most Holy Redeemer**

taking into account the decisions of recent General Chapters, including those of the 25th General Chapter of the Congregation, held in Pattaya, Thailand in 2016, the General Council of the Congregation set in motion a process to produce a new edition of the Directory of Superiors of the Congregation; and

having studied the material presented to the 25th General Chapter as well as the opinions of (vice-)provincial and regional superiors related to such a revised edition; and

having sought the opinion of several canon lawyers on questions involved; and

believing that a period of trial use of the new edition prior to the next General Chapter would be beneficial to the Congregation and to the subsequent consideration by the General Chapter,

**DECREES**

that, by the authority given it by Constitution 119-1° and 3°, in accord with General Statute 03, this fifth (2018) edition of the Directory of Superiors is approved;

that, in accord with General Statute 03, the norms found in the First Part of this Directory, namely, in the list of competencies of superiors, shall have the force of law for the entire Congregation of the Most Holy Redeemer if they do not already have the force of law by reason of the existing Universal Law of the Church, the Constitutions and General Statutes of the Congregation of the Most Holy Redeemer or the Directory of Chapters CSsR, and are hereby promulgated;

that these norms shall oblige until the General Chapter approves or revises them;

that this Directory of Superiors shall go into effect on the date of 21 April 2019, and shall entirely replace all former editions on that date, which editions shall then lose any force of law they now enjoy in themselves; and

that the official text of the Directory of Superiors and of this Decree is the English text.

Given in Rome, on 24 December 2018

*Michael Brehl, C.S.R.*  
Michael Brehl, C.Ss.R.  
Superior General

*Brendan J. Kelly, C.Ss.R.*  
Brendan J. Kelly, C.Ss.R.  
General Secretary



*(Seal of the Congregation)*

**CONFIRMATIO DECRETI PROMULGATIONIS  
EDITIONIS  
DIRECTORII SUPERIORUM**

**EMISSA A CAPITULO GENERALI**

## INTRODUCTION

The following conventions have been used in preparing this Directory.

References:

- a. Those found in the text of an entry, e.g. "*ad normam Can...*", indicate some condition or qualification which must be taken into account when using the faculty.
- b. Those contained in parentheses:
  - a plain reference, e.g. "(Can. 1031)", indicates the norm is taken directly from the source cited;
  - a "+" before a reference, e.g. "(+St. 067)", indicates that the item cited is the source of the norm in the entry, but the text of the DS adds some further qualification to the source;
  - "cf." before a reference, e.g. "(cf. C. 133)", indicates that there is related material in the item cited.

In the English translation, ordinarily:

- a. When the text is a citation of a constitution or statute, the wording of the approved English translation (Rome, 1988) is followed.
- b. When the Latin text of the *Constitutions and Statutes* contains a citation from the revised *Codex iuris canonici* (1983), the English text of the *Constitutions and Statutes* is usually followed; in some cases, however, the approved English translation of the *Code of Canon Law: Latin-English Edition* (Canon Law Society of America, 1983) is preferred.
- c. When the text of a canon is cited directly, the approved English translation for the *Code of Canon Law: Latin-English Edition* (Canon Law Society of America, 1983) or for the approved English translation for the *Code of Canons for the Eastern Churches* (Canon Law Society of America, 2001) is used.

- d. If the text is a citation of some other document for which there is an approved English translation, that translation is used.
- e. In all other cases, the translation is new.

The 1986 Latin edition of *Constitutiones et Statuta*, the **2002** English translation of them, and this Directory use the following terms:

- to refer to provinces only: "province" or "provincial";
- to refer to vice-provinces only: "vice-province" or "vice-provincial";
- to include both provinces and vice-provinces: "vice-province" or "(vice-)provincial".

## ABBREVIATIONS

AA	Statutes of the Alphonsian Academy
AAS	<i>Acta Apostolicae Sedis</i>
AC	Acts of the General Chapter
AG	Acts of the General Government
AL	Apostolic Letter of Pius IX, 13 March 1876
C. (CC.)	Constitution(s)
c. (cc.)	canon(s)
CCEO	<i>Codex Canonum Ecclesiarum Orientalium</i> , 1991 (= Code of Canons of the Eastern Churches)
CDF	Congregation for the Doctrine of the Faith
CDWDS	Congregation for Divine Worship & Discipline of the Sacraments [formerly: Congregation for Sacraments and Divine Cult]
cf.	confer
CG	Decree of the General Council
CIC	<i>Codex Iuris Canonici</i> (= Code of Canon Law, 1983)
CICLSAL	Congregation for Institutes of Consecrated Life and Societies of Apostolic Life [formerly: Congregation for Religious and Secular Institutes]
Comm.	Communicanda of the General Government
CP	Compendium of Privileges of the C.Ss.R. 1941 (= Compendium privilegiorum C.Ss.R., 1941)
DAF	<i>Authentic Documents of Faculties and Spiritual Grants which the H. See has given to the Congregation of the Most Holy Redeemer</i> (= <i>Documenta authentica facultatum et gratiarum spiritualium quas Congregationi SS. Redemptoris S. Sedes concessit...</i> , (Ratisbonae, 1903)
DC	Directory of Chapters
DCC	Apostolic Letter of Pope Francis, <i>De Concordia inter Codices</i> , 31 May 2016

DG	Directory of the General Government, 1986
DS	<i>Directory of Superiors</i>
ibid.	<i>ibidem</i>
MQ	Apostolic Letter of Paul VI, " <i>Ministeria quaedam</i> ", (AAS, 1972)
NCNR	<i>The New Code and the New Rule</i> , John J. Ruff, C.Ss.R. (Rome: 1984)
OR	<i>Religious Law based on the Code of Canon Law 1983 in relation to the Civil Law of the German Federal Republic, of Austria and of Switzerland (= Ordensrecht auf der Grundlage des Codex Iuris Canonici 1983 unter Berücksichtigung des staatlichen Rechts der Bundesrepublik Deutschland, Österreichs und der Schweiz</i> (Freiburg, 1988), Bruno Primetshofer, C.Ss.R.
p. (pp.)	page(s)
PCILT	Pontifical Council for the Interpretation of Legal Texts [formerly: Pontifical Commission for the Authentic Interpretation of the Code of Canon Law]
PYF	<i>Privileges and Faculties in Force in the CSSR (= Privilegios y facultades vigentes en la CSSR</i> , Esteban M. Marcos, C. Ss. R. (Madrid: 1987)
Rev. St.	Revised Statute (AC 2009)
SST	Motu Proprio of Benedict XVI, <i>Sacramentorum Sanctitatis tutela</i> (Safeguarding the Sanctity of the Sacraments) 2010
St. (SS.)	General Statute(s)
TM	<i>Theologia moralis</i> , Alfonsus de Liguori (Moral Theology)
UT	Decree of Pius X " <i>Ut tollatur</i> ", 1909.

## **PART I**

### **LIST OF COMPETENCIES OF SUPERIORS**

The Superior General, as the supreme moderator of the Institute, "holds power over all provinces, houses and members of the Institute, which is to be exercised according to proper law" (**CIC** c. 622). Chapter I indicates the determinations made by our proper law for the use of his authority.

While the authority of the Superior General remains, "other superiors enjoy power within the limits of their office" (**CIC** c. 622) and exercise it according to the determinations indicated below.

The following list of competencies has the force of law according to the norm of St. 03.



## CHAPTER I

### Competencies of the General Government

#### Art. A: In General

The Superior General, while respecting the principle of subsidiarity (C. 94; St. 0100), in addition to other faculties (CIC can. 662; C. 115-a), has those faculties which the *Code of Canon Law (CIC)*, the *Code of Canons of the Eastern Churches (CCEO)* and our privileges give to all major superiors. Among these faculties are included the ones which are found in the following entries in the Directory of Superiors:

A01. Without calling upon his consultors:

K02, KO3, K05, K06, K18, K19

A02. After hearing his consultors:

L02, L07, L14

A03. With the consent of his consultors:

M03, M04, M13, P10, P19

.....

#### Art. B: Competencies of the Superior General

The Superior General, even without consulting his consultors, has the power:

B01. Of delegating faculties and privileges of the Congregation which may be delegated (cf. St. 0157).

B02. Of incurring expenses up to the amount determined by the General Council according to the norm of DS E29 (cf. DS 904).

B03. Of granting dispensations according to the norm of CIC cc. 14, 87 §2 and 134 §1 or CCEO cc. 1496, 1538, 984 §3.

B04. Of being himself, or through a delegate, the judge in the first instance if there is a contentious case between two

provinces, according to the norm of CIC c. 1427 §2 or CCEO c. 1069 §1.

- B05. Of reducing Mass obligations as mentioned in CIC can. 1308 §§ 3-4 or CCEO c. 1052 §§ 3-4. CIC c. 1308 §5 or CCEO c. 1052 § 5; (cf. CIC c. 1309 or CCEO c. 1053 re transferring Mass obligations).
- B06. Of joining parochial confraternities to the Archconfraternity of O.M.P.H. and St. Alphonsus Liguori (AL).
- B07. Of erecting a sodality of oblates in a house of the Congregation or of granting the status of oblate to individuals (CP 56; cf. DS 1301, DS 1302).

.....

### **Art. C: The Consultative Vote of the General Consultors**

The Superior General must hear his consultors:

- C01. About his personally conducting the visit of any (vice-) province (+C. 114-c; cf. DS 07).
- C02. About the appointment of minor officials of the General Government (St. 0127), and also about accepting their resignation of office.
- C03. About the appointment of the notary and assistant notaries of the General Chapter (DC 803-c), and about accepting their renunciation of office.
- C04. About performing the actions prescribed in art. 5-b, ##1, 2, 3, 4, 6, 7, 10 of the Statutes of the Alphonsian Academy (+ AC XX (1985), pp. 161-2).
- C05. About incurring expenses, the value of which is between the amounts determined by the General Council according to the norm of DS E29 (cf. DS 904).

.....

## **Art. D: The Deliberative Vote of the General Council**

The Superior General with the consent of his council has the power:

### ***Regarding the General Chapter:***

- D01. Of convoking an extraordinary General Chapter, after consulting the provincial governments (St. 0118-a; cf. DS E01).
- D02. Of preparing the report on the state of the Congregation to be presented to the General Chapter (+St. 0116-b).

### ***Regarding Superiors:***

- D03. Of appointing superiors who are directly dependent on the General Government (cf. DS 101.3 C).
- D04. Of appointing (Vice-)provincial Superiors who are to be designated by the General Government according to the (vice-)provincial statutes (cf. **rev. St. 094b**).
- D05. Of appointing a (Vice-)provincial Superior from the names of those submitted from a (vice-)province for the position. (Decision 40, 25<sup>th</sup> General Chapter XXV, 2016) (DS101.3F)
- D06. Of accepting the renunciation of office of those mentioned in DS D03, DS D04 and D05.

### ***Regarding (Vice-)provinces:***

- D07. Of designating a substitute to conduct the visit of (vice-)provinces (+ C. 114-c; cf. DS C01).
- D08. Of confirming (Vice-)provincial Superiors in their office, and of confirming their renunciation of office according to the norms of SS. 0153 and 0154 (+CIC c. 625 §3 or CCEO c. 515 § 3; cf. DS 101.3 D and E, DS 104.2 D).
- D09. Of confirming the vicars of Provincial Superiors in their of-

fice, and of confirming their renunciation of office according to the norms of **revised SS. 0153 and 0154** (+CIC c. 625 §3 or CCEO c. 515 § 3; cf. DS 101. 3 G, DS 104. 2 E).

- D10. Of confirming in their office local superiors elected collegially by ordinary or extraordinary provincial councils, or by provincial chapters (+AC XX (1985), pp. 177-8; +CIC c. 625 §3 or CCEO c. 515 § 3; cf. DS 101.3 M).
- D11. Of removing (Vice-)provincial Superiors from office by decree and for a grave cause, according to the norm of St. 099; and of transferring them, for a grave cause, to another office according to the norm of St. 098 (+CIC c. 624 §3 or CCEO c. 514 § 2; cf. DS 103.1).
- D12. Of granting a dispensation, even if some whole province must be dispensed, according to the norm of C. 102-d, as well as CIC cc. 14 and 87 §2 or CCEO cc. 984 §3, 1496 and 1538 §2.

### ***Regarding Communities:***

- D13. Of erecting a house, with the previous written consent of the Diocesan Bishop (+ C. 135; +CIC c. 609 §1 or CCEO c. 509 §2; cf. CIC c. 610 or CCEO c. 437; St. 091; DS P07, DS 702. 1).
- D14. Of suppressing a house after having consulted the Diocesan Bishop (+C. 135; +CIC c. 616 §1 or CCEO c.510; cf. DS P09, DS 704).
- D15. Of approving the establishment of a community in the territory of another (vice-)province according to the norm of St. 0186 (cf. DS H02, DS 702.1, 702.2).
- D16. Of confirming superiors of houses beyond a second four-year term (+**revised St. 0178-b**; DS 103.3).
- D17. Of appointing members to live permanently in communities immediately subject to the General Government, while preserving the faculty of the Director of the *Collegium Maius* regarding members of the *Collegium*.

D18. Of approving the governance and program of life of the *Collegium Maius* (+St. 083-b).

***Regarding Admission and Formation:***

D19. Of erecting, transferring and suppressing a novitiate house through a written decree (CIC c. 647 §1 or CCEO c. 522; cf. DS 1003. 2).

D20. Of approving the program of formation for a novitiate (+ St. 067; +CIC c. 650 §1 or CCEO c. 524 § 3; cf. DS P15, DS 1005).

D21. Of permitting a candidate, in a special case, to make his novitiate validly in another house of the Congregation according to the norm of CIC c. 647 §2 or CCEO c. 522 § 1 (cf. DS 1003. 3).

D22. Of approving the program for priestly formation of our students (+St. 081-a; cf. DS Q12 and Documents of the Ap. See).

D23. Of granting to those professed perpetually in other religious institutes permission to transfer to our Institute according to the norm of CIC c. 684 §1 or CCEO c. 544 § 1 (cf. DS 1108).

D24. Of determining the length and manner of probation which must precede the perpetual profession of a religious who transfers to our Congregation (St. 073; +CIC c. 684 §2 and §4 or CCEO c. 545 §1 and §2; cf. DS 1108).

D25. Of receiving back, according to the norm of CIC c. 690 §1 or CCEO c. 493 § 2, those who have legitimately left the Congregation, except for deacons or priests who have been laicized (DS 1202. 1).

***Regarding Absence, Transfer and Departure:***

D26. Of requesting from the Apostolic See an indult of absence from the religious house for more than a year according to the norm of CIC c. 665 §1 or CCEO c. 550; (cf. DS 1402.2;

1405).

- D27. Of dispensing from vows made in the Congregation (+C. 145; CIC c. 691 §1 or CCEO c. 549 §1 and § 2, 2°; cf. DS M11, DS 1652; 1701.4).
- D28. Of permitting those professed in our Congregation by perpetual vows to transfer to another religious institute according to the norm of CIC c. 684 §1 or CCEO c. 544, § 1. (cf. DS 1803).
- D29. Of requesting from the Apostolic See an indult for the transfer of a member to a secular institute or to a society of apostolic life (cf. CIC c. 684 §5 or CCEO c. 544 § 3; DS 1804.2).
- D30. Of granting to clerics professed in perpetual vows an indult to leave the Institute (that is, an indult of secularization) so that they may be immediately incardinated in some diocese (C. 145; +CIC cc. 691 §1 and 693 or CCEO c. 549 §1 and § 3; cf. DS 1701.4 and 5).
- D31. Of requesting from the Apostolic See an indult of departure from the Institute (that is, an indult of secularization) so that he may be received into a diocese for a period of probation (cf. CIC cc. 691 §1 and 693 or CCEO c. 549 §§1-3; DS 1702.3).
- D32. Of granting, for a grave reason, an indult of exclaustation to a member professed of perpetual vows, but not for more than three years (CIC c. 686 §1 or CCEO c. 548; cf. DS 1502.4A).
- D33. Of requesting from the Apostolic See an indult of exclaustation for more than three years (cf. CIC c. 686 §1 or CCEO c. 548; DS 1502.4 B).
- D34. Of requesting from the Apostolic See that an exclaustation be imposed by the Holy See (cf. CIC c. 686 §3 or CCEO c. 548; DS 1503.4).
- D35. Of requesting from the Apostolic See an indult of loss of clerical state (cf. CIC c. 290-3° or CCEO c. 394, 3°; DS 2001. 4, DS 2002. 4, DS 2001.3).

### ***Regarding Temporal Goods:***

- D36. Of approving the budgets and financial report: of the General Government prepared by the general treasurer, both for the year and for the sexennium; of Casa Sant'Alfonso in Rome; and of the Alphonsian Academy (+St. 0191-a; cf. St. 0130).
- D37. Of approving the annual financial report of (vice-)provinces (cf. SS. 0163 and 0174; DS 403. 1, DS 903.2).
- D38. Of effecting alienations and of contracting debts up to the highest amount defined for a given region by the Holy See (+CIC cc. 638 §3 and 1292 §1 or CCEO cc. 1036 § 1, 3° and 1038; cf. DS 906, DS 907).
- D39. Of incurring expenses which exceed the maximum sum indicated in DS C05 (cf. DS 904.2).
- D40. Of requesting from the Apostolic See permission to effect alienations which exceed the highest amount defined for a given region by the Holy See (CIC cc. 638 §3 and 1292 §2 or CCEO cc. 1036 §4 and 1038; cf. CIC c. 292 §§3-4 and CCEO c. 1038, DS 906. 2 B).
- D41. Of approving the highest limits within which superiors may spend money, undertake alienations, or contract debts (+St. 0193-a; cf. DS 904. 2 A, DS 906. 2 A).
- D42. Of permitting (vice-)provinces to incur expenses, contract debts and effect alienations which exceed their faculties (approaching the Holy See if the case requires it) (+CIC c. 638 or CCEO c. 1036; cf. DS 904. 2 C, DS 906. 2 B and C).
- D43. Of distributing aid from the "Central Reserve for Help in Cases of More Urgent Need" (Solidarity Fund) (+Comm. 6 (bis) CG 177/86; cf. DS H05, DS Q14).
- D44. Of permitting members to renounce patrimonial goods they possess or may acquire in the future (+C. 70; +CIC c. 668 §4 or CCEO c. 534, 2°; cf. CG 368/86; DS M16).

.....

**Art. E: The General Council as a College:**

The General Council acting collegially can:

***Regarding the General Chapter:***

- E01. Convoke an extraordinary General Chapter according to the norm of St. 0118-b (cf. DS D01).
- E02. Postpone a General Chapter beyond its prescribed time according to the norm of St. 0119.
- E03. Provide representation at the General Chapter for (vice-) provinces in the case mentioned in DC 714.
- E04. Provide representation at the General Chapter for brothers according to the norm of DC 711 and AC XX (1985), p. 194.
- E05. Give authentic interpretation of the statutes, prescriptions of directories, and of any decisions made by the General Chapter (C. 119-1°).
- E06. Suspend decrees of the General Chapter according to the norm of C. 119-2°.

***Regarding Legislation:***

- E07. Issue decrees (C. 119-3°).
- E08. Grant dispensations according to the norm of C. 102-e.
- E09. Approve (vice-)provincial statutes according to the norm of St. 0142; or, if the case demands, return them to the extraordinary (vice-)provincial council for revision (cf. DS J03, DS Q04).
- E10. Approve the Statutes and "*assetto giuridico*" of the house of Saint Alphonsus in Rome.

E11. Suspend for such time as is necessary for the good of a (vice-)province, (vice-)provincial statutes as well as decrees of the (vice-)provincial chapter, after informing the respective (vice-)province, leaving intact St. 0161.

***Regarding (Vice-)provinces:***

E12. Erect (vice-)provinces, suppress them, join them together, or change their boundaries according to the norms of SS. 087 - 089 (CC. 97-1°, -2° and 130; +CIC c. 581 or CCEO c. 508 § 2).

E13. Approve the establishment of a region; if the region has been established by a vice-province there is to be previous approval by the extraordinary provincial council (C. 97-3°; St. 090; cf. DS J04, DS Q06).

E14. Approve the agreement between the province and vice-province or region mentioned in SS. 090 and 0175.

E15. Approve the priorities in apostolic works determined by (vice-)provincial chapters according to the norm of C. 17.

E16. Demand that the elections in a (vice-)province be repeated if the case requires it.

***Regarding Superiors and Officials:***

E17. Sanate designations to office (cf. DC 315-a).

E18. Elect the Vicar General according to the norm of St. 0123-a when the General Chapter is not in session.

E19. Elect General Consultors when the General Chapter is not in session.

E20. Elect the pro-Vicar General according to the norm of St. 0123-b.

E21. Elect the Director of the *Collegium Maius* (cf. St. 083).

- E22. Elect the major officials of the General Government (C. 120; St. 0127).
- E23. Accept the renunciation of the Superior General according to the norm of C. 116-b, if it is offered when the Chapter is not in session.
- E24. Accept the renunciation of office of the Vicar General, if it is offered when the Chapter is not in session (cf. C. 117).
- E25. Accept the renunciation of office of General Consultors, if it is offered when the General Chapter is not in session.
- E26. Accept the renunciation of office of those mentioned in DS E20, DS E21, and DS E22.
- E27. Establish permanent bodies which seem necessary or useful to the General Government (C. 120).

***Regarding Dismissal:***

- E28. Issue a decree of dismissal of members according to the norm of universal law (CIC cc. 699 §1 and 700 or CCEO cc. 500, 551, 552 §2, 1° et 553; C. 146; cf. CIC cc. 696-702 or CCEO cc. 500-503, DS 1903.4).

***Regarding Temporal Goods:***

- E29. Determine the limits for incurring expenses mentioned in DS B02, DS C05 and DS D39 (cf. DS 904.2).
- E30. Determine the contributions to be made to the General Government by the (vice-)provinces according to the norm of St. 0191-b-l°.

## CHAPTER II

### Competencies of the Provincial Government

These competencies, either by reason of law or from the nature of the case, belong only to Provincial Superiors and their councils, and not to Vice-provincial Superiors (cf. C. 133).

#### **Art. F: The Consultative Vote of the Ordinary Provincial Consultors**

The Provincial Superior must hear his ordinary consultors:

- F01. To transfer members from the province to its own vice-province and vice versa, in the manner agreed upon by the province and vice-province (cf. St. 0175).
- F02. To transfer members, either temporarily or permanently, to another province or vice-province (cf. St. 0188; DS H03; DS 404.6).

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#### **Art. G: The Deliberative Vote of the Ordinary Provincial Council**

The Provincial Superior, with the consent of his ordinary council, has the power:

- G01. Of granting dispensations according to the norm of C. 102-d.
- G02. Of appointing tellers for the Commission of Tellers mentioned in DC 722.
- G03. Of confirming in office superiors ***elected*** by the vice-provincial council or the local community (+CIC c. 625 §3 or CCEO c. 515 § 2; +AC XX (1985), p. 177-178; cf. Rev. St. 0178-b and DS 101.3 N).

## **Art. H: The Deliberative Vote of the Extraordinary Provincial Council**

The Provincial Superior needs the consent of his extraordinary council:

- H01. To confirm the election of the vicar of the Vice-provincial Superior (CG 311/89; +CIC c. 625 §3 or CCEO c. 515 § 2; + **rev. St. 0153-c**; cf. DS 101.3 H).
- H02. To permit the foundation of a community of some other (vice-)province within his own territory, with the approval of the General Government (St. 0186; cf. DS D15, DS 702. 2).
- H03. To accept definitively a member from another province as a member of his own province, with the approval of the other provincial government (cf. St. 0188; DS F02, DS 404. 6).
- H04. To approve the budget and financial report of a vice-province (+ St. 0195, cf. St. 0174-b; DS 403. 1 D, DS 903.2).
- H05. To approve a request from his own vice-province for assistance from the "Central Reserve for Help in Cases of More Urgent Need" (**Solidarity Fund**), before it is submitted to the General Government for approval (Comm. 6 (bis) CG 177/86; cf. DS D43, DS Q14)

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## **Art. J: The Extraordinary Provincial Council as a College**

It belongs to the extraordinary provincial council acting collegially:

- J01. To approve the election of a Vice-provincial Superior before he is confirmed by the General Government (**Rev. St. 0153-b**; cf. DS 101. 3 E).
- J02. To accept the renunciation of office of an elected member of the General Chapter or of a substitute (DC 726; cf. DS 104. 2 B).

- J03. To examine vice-provincial statutes, before they are approved by the General Government (St. 0142; cf. DS E09, DS 408. 3).
- J04. To approve a region erected by a vice-province before submitting the matter for the approval of the General Government (St. 090; cf. DS E13, DS Q06).



## CHAPTER III

### Competencies of Provincial and Vice-provincial Governments

(Vice-)provincial chapters may change for their respective (vice-)provinces the requirements for consultation, consent or collegial action listed in the competencies of this Chapter III **when these are determined solely by this Directory of Superiors**, and not by reason of the universal law of the Church or the constitutions and general statutes of the Congregation (cf. St. 0160). Such changes are to be in the form of (vice-)provincial statutes following the norm of SS. 0142 and 0160.

#### **Art. K: Competencies of the (Vice-)provincial Superior**

The (Vice-)provincial Superior, even without consulting his consultants, has the power:

##### ***Regarding Jurisdiction:***

- K01. Of delegating faculties and privileges of the Congregation which can be delegated (St. 0157).
- K02. Of deciding about matters concerning the private life of any member (that is, which touch his good name or secretly pertain to his strictly private life) (cf. DS A01).
- K03. Of dispensing from impediments and irregularities according to the norm of CIC c. 1047 §4 or CCEO c. 767 §§1-2 and according to our privileges (CP 68 and 70; cf. DS 604. 3, DS 604. 4).
- K04. Of being himself, or through a delegate, the judge in the first instance if there is a contentious case between individual religious or houses of the (vice-)province (CIC c. 1427 §1 or CCEO c. 1069 §1; cf. DS A02).

### ***Regarding Liturgical Matters:***

- K05. Of conferring the ministries of lector and acolyte on members approved according to the norm of DS L10 (MQ §9; cf. CIC c. 230 as well as CCEO cc. 403 §2 and 709 §2; DS A01).
- K06. Of blessing a sacred place (including our churches) (CIC c. 1207; CP 12; DAF pp. 153\* and 182\*; cf. CIC c. 1241 as well as CCEO cc 871 §2 and 874 §4; DS A01, DS 503).
- K07. Of permitting for a just cause that the Eucharist be reserved in another oratory within the same house (CIC c. 936; or CCEO c. 741 §1. cf. DS 501.1).
- K08. Of prescribing the purposes for which offerings received for the second or third Mass said on the same day by a member are to be applied, except in the case of pastors and parochial vicars (CIC can. 951 §1; PCLT, 25 November 1987; cf. Analecta 1987, p. 36).

### ***Regarding Communities:***

- K09. Of determining the enclosure for the different communities and of dispensing from it (+ C. 45-3°; +CIC c. 667 §1 or CCEO c. 541; cf. DS 705).
- K10. Of giving permission to superiors of communities to be absent from their respective houses for a rather long period of time (St. 095-g; cf. CIC c. 629 or CCEO c. 446).

### ***Regarding Admission and Formation:***

- K11. Of determining by a legal document the day on which the novitiate canonically begins (St. 062-a; cf. DS 1004.1A).
- K12. Of deciding, after consulting the novice master, what communication there should be between the novices and the other members (St. 064; cf. DS 1001.3).
- K13. Of permitting first profession to be anticipated, but not by

more than fifteen days (+ CIC c. 649 §2; cf. DS 1004. 2 C).

- K14. Of prolonging the time of probation laid down by the Superior General for someone who has been readmitted to the Congregation according to the norm of CIC c. 690 §1 (cf. DS D25, DS 1202.1).
- K15. Of determining the place and manner of the retreat for those who are being promoted to some order (CIC c. 1039 or CCEO c. 772; cf. DS 601.1 H).
- K16. Of determining the suitable period of time during which members who are deacons are to participate in pastoral work before they are promoted to the presbyterate, unless the (vice-)province's own program of priestly formation determines otherwise (+ CIC c. 1032 §2 or CCEO c. 760; cf. DS 602).

***Regarding Temporal Goods:***

- K17. Of giving members permission to change their will (+ CIC c. 668 §2 or CCEO c.530).
- K18. Of permitting members to dispose of the fruit of their goods for a determined pious work in favor of a third party (UT 5; cf. DS A01).
- K19. Of giving permission for works on religion or morals to be printed according to the norm of CIC c. 832 or CCEO c. 662 §2 (cf. DS A01).

***Regarding Expulsion:***

- K20. To immediately expel a member from a house in the case of serious external scandal or very grave imminent harm to the Institute (CIC c703 or CCEO c. 551; cf. DS R14, DS 1904).

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## **Art. L: The Consultative Vote of the Ordinary (Vice-) provincial Consultors**

The (Vice-)provincial Superior must hear his ordinary consultors:

### ***Regarding the (Vice-)provincial Chapter:***

L01. To convoke the ordinary (vice-)provincial chapter (+ St. 0146 + CIC c. 632).

### ***Regarding Communities:***

L02. To establish oratories in our houses and villas (+ CP 104; + CIC c. 936 or CCEO c. 714 §2; cf. DS A02).

L03. To transfer members from one community of the (vice-) province to another.

### ***Regarding Admission and Formation:***

L04. To admit candidates to postulancy.

L05. To prolong the period of postulancy (cf. St. 061).

L06. To dismiss postulants (cf. DS 1901. 2 A).

L07. To permit a group of novices to live for a stated period of time in another house of the Congregation, designated by the same superior (+ CIC c. 647 §3 or CCEO c. 522 §2; cf. DS A01, DS 1003.3 B).

L08. To permit that one or more periods of time dedicated to apostolic experience be spent outside the novitiate community according to the norm of St. 069 (cf. CIC c. 648 §2; DS 1004.4).

L09. To permit the renewal of temporary profession, and to exclude those professed from renewing temporary profession or from making perpetual profession according to the norm of CIC can. 657 §1; (+ CIC c. 689 or CCEO c. 547 §1; cf. DS 1103. 1, DS 1104, DS 1601.2. 2).

L10. To admit members to ministries of **lector and acolyte** (cf.

CIC cc. 1035 and 230 or CCEO cc. 403 §2 and 709 §2; DS K05).

- L11. To lay down norms determining the status of the directors of formation in relation to the authority of the local superior (+St. 0169-b; cf. DS 1001.3).

***Regarding Temporal Goods:***

- L12. To incur expenses within the limits laid down in (vice-) provincial law (St. 0193; CIC c. 638 §1 or CCEO cc. 423 and 1024 §§1-2; cf. DS 904).

***Regarding the General Government:***

- L13. To draw up the annual report to be sent to Rome as indicated in St. 0163 (cf. DS 402).

***Regarding Dismissal:***

- L14. To begin the process of dismissal of a member (CIC cc. 697 and 703 or CCEO cc. 551, 553 and 562 §3; cf. A02).

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**Art. M: The Deliberative Vote of the Ordinary  
(Vice-)provincial Council**

The (Vice-)provincial Superior, with the consent of his ordinary (vice-)provincial council, has the power:

***Regarding Legislation:***

- M01. Of giving dispensations according to C. 102-c, and CIC cc. 14 and 87 §2. or CCEO cc. 984 §3, 1496 and 1538. (cf. CIC c. 88).
- M02. Of determining norms that govern the right ordering of communities, according to the prescription of CC. 44 and 45, as well as St. 041.

***Regarding Offices:***

M03. Of assuming the duties of superiors or officials under his authority (+ St. 0100; cf. DS A03, DS 902.5).

***Regarding Communities:***

M04. Of permitting a member, for a just cause, to live outside a community, but not for more than a year, except for the purpose of caring for poor health, for the purpose of studies or of some undertaking in the name of the Institute (CIC c. 665 §1 or CCEO cc. 478 and 495; cf. DS A03, DS 1403).

***Regarding Admission and Formation:***

M05. Of admitting candidates to the novitiate (St. 062-b; +CIC c. 641 or CCEO c. 519; cf. DS 1002).

M06. Of admitting novices to profession (St. 062-b; + CIC c. 656-3° or CCEO c. 527 1°-2°; cf. SS. 077 and 078; DS 1101.1 A).

M07. Of prolonging the time of probation in the novitiate according to the norm of C. 86-2°-d (St. 062-c; +CIC c. 653 §2 or CCEO c. 526 §2; cf. DS 1004.2).

M08. Of dismissing novices from the novitiate (+CIC c. 653 §1 or CCEO c. 461, §1; cf. C. 86-2°-d; DS 1901.2).

M09. Of determining the time that is to elapse between the novitiate and the making of perpetual vows (St. 074; cf. CIC cc. 655 and 657 §2 or CCEO c. 526 §2; DS 1102.2).

M10. Of permitting perpetual profession to be anticipated for a just cause but not by more than three months according to the norm of CIC c. 657 §3 (cf. DS 1104.1).

M11. Of admitting those temporarily professed to perpetual profession (C. 86-2°-c; St. 062-b; cf. St. 078; DS 1104.1, 1108).

M12. As a delegate of the Superior General, of dispensing professed members from temporary vows (+ C. 145; cf. DS D26, DS 1651.4).

- M13. Of permitting change from one category of member to another (St. 065; cf. DS 1008.1).
- M14. Of granting dimissorial letters to those perpetually professed so that they may receive sacred orders (+CIC c. 1019 §1 or CCEO c. 537 §1; cf. St. 076; DS A03).
- M15. Of appointing the lectors in the juvenate and the assistants in the juvenate, novitiate and studentate, with due regard for the prescription of St. 0164 (cf. DS 101.3 Q).

***Regarding Temporal Goods:***

- M16. As a delegate of the Superior General, of permitting members to renounce patrimonial goods they possess or may acquire in the future (+ C. 70; +CIC c. 668 §4 or CCEO c. 534, 2°; CG 368/86; cf. DS D44).
- M17. Of permitting the alienation of manuscripts and of other works, or the renunciation of the right to publish them.
- M18. Of incurring expenses and effecting alienations or of permitting the same, up to the sum permitted with the consent of the OPC, as determined by the (vice-)province's own law (+St. 0193; +CIC c. 638 §1 and §3 or CCEO cc. 423 and 1024 §§1-2; cf. DS 906.2).
- M19. Of permitting the acceptance or refusal of donations either offered to a member, not for himself but for the community, or offered to him as a member of the Congregation (cf. DS 909).
- M20. Of permitting the taking on of the obligations regarding temporal goods mentioned in St. 0200 (cf. CIC cc. 1299 – 1310 or CCEO cc. 1043-1054).

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**Art. N: The Ordinary (Vice-)provincial Council as a College**

The ordinary (vice-)provincial council, acting collegially, can:

- N01. Elect a substitute for consultations (cf. St. 0159-b; DS 204.3).
- N02. Approve the decisions allowed to communities by (vice-) provincial law according to C. 137-b.
- N03. Approve the Plan of Community Life as drawn up by each community. (XXII General Chapter [1997] n.3.1 and 25<sup>th</sup> General Chapter [2016], Decision 21)

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**Art. P: The Deliberative Vote of the Extraordinary (Vice-) provincial Council**

The (Vice-)provincial Superior needs the consent of his extraordinary (vice-)provincial council:

***Regarding Chapters:***

- P01. To establish the Preparatory Commission for the General Chapter according to the directions of the General Chapter Central Preparatory Commission.
- P02. To convoke an extraordinary (vice-)provincial chapter (Rev. St. 0152-b-1; cf. DS Q01).
- P03. To establish the Preparatory Commission for the (vice-) provincial chapter unless the (vice-)province's own statutes make some other arrangements (+St. 0149).

***Regarding the Apostolate:***

- P04. To accept parishes and other works in the service of a diocese (cf. CIC cc. 520, 681 and 682 or CCEO cc. 281, 282, 284, 303, and 543; DS 801).
- P05. To accept the responsibility of permanently supplying or making available members for some work which is not undertaken as proper to the Congregation.

### ***Regarding Communities:***

- P06. To establish a community (cf. St. 0140-d; DS 406, DS 702.1).
- P07. To petition the General Government for a community to become a canonically erected house, having first obtained, in writing, the consent of the Diocesan Bishop; and in the case of a vice-province, respecting the provisions in the contract with the province (+C. 135; + CIC c. 609 §1 or CCEO c. 509 §1; cf. CCEO c. 437, SS. 091, 0140-d and 0175; DS D13; DS 702..1).
- P08. To suppress a community (cf. St. 0140-d; DS 406, DS 704).
- P09. To petition the General Government for the suppression of a canonically erected house, having first consulted the Diocesan Bishop; and in the case of a vice-province, respecting the provisions in the contract with the province (+ C. 135; +CIC c. 616 §1 or CCEO c. 510; cf. SS. 0140-d and 0175; DS D14, DS 704).
- P10. To transfer, for a grave reason, to another position of authority, the superior of a community, even before his term of office is completed (+St. 098; +CIC c. 624 §3 or CCEO c. 514 §2; cf. DS A03).
- P11. To remove from office, for a grave reason, according to the norm of St. 099, the superior of a community (+CIC c. 624 §3 or CCEO c. 514 §2; cf. DS 103.1).
- P12. To extend the stay of a confrère in the same community after two consecutive quadrennial terms for a further quadrennium.
- P13. To designate the headquarters or residence of the (Vice-) provincial Superior.

### ***Regarding Formation:***

- P14. To erect, change, transfer or suppress institutes of formation according to the norm of St. 0167, with the exception of the novitiate (cf. DS D19, DS 406).
- P15. Propose the program of formation in the novitiate for approval by the General Government (+ St. 067; cf. DS D20, DS **1005**).

P16. To lay down appropriate norms regarding studies which are allowed in the course of novitiate according to the norm of St. 066 (cf. CIC c. 652 §5 or CCEO c. 459 §2 DS 1005).

***Regarding Temporal Goods:***

P17. To approve the budget and financial report of the (vice-) province and of the communities (+St. 0195; cf. SS. 0173 and 0174-a; DS 403.1, DS 903.2).

P18. To ask the treasurer for special reports (+St. 0174-a; cf. DS 903.2).

P19. To intervene in the administration of the goods of a community according to the norm of St. 0190 (cf. CIC c. 1279 §1 or CCEO c. 1023; DS A03, DS 902. 5).

P20. To incur expenses and effect alienations, as well as give permission for the same as permitted with the consent of the EPC, up to the sum determined by the (vice-)province's own law (St. 0193; CIC c. 638 §1 and §3 or CCEO cc. 423 and 1024 §§1-2; cf. DS 906 and DS 908).

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**Art. Q: The Extraordinary (Vice-)provincial Council as a College**

The extraordinary (vice-)provincial council acting collegially can:

***Regarding Chapters:***

Q01. Convoke an extraordinary (vice-)provincial chapter (Rev. St. 0152-b-2; cf. DS P02).

Q02. Accept the resignation of members of the (vice-)provincial chapter when it is not assembled (cf. DS 104.2 J).

Q03. Decide to postpone the (vice-)provincial chapter according to the norm of DC 506.

Q04. Interpret authentically and suspend any decisions of the (vice-) provincial chapter according to the norm of St. 0161 (cf. DS 407).

### ***Regarding Legislative Actions:***

- Q05. Issue decrees for the whole (vice-)province according to the norm of St. 0161.
- Q06. Erect regions according to the norm of St. 090 (+CIC c. 581 or CCEO c. 508 §2; cf. DS E13, DS J04).
- Q07. While the (vice-)provincial chapter is not assembled, sanate designations for office which are found to be invalid because of the transgression of some invalidating law of the (vice-) province or because the persons designated are ineligible according to the law of the (vice-)province (cf. DC 315-a; DS 101.4).

### ***Regarding Substitutes:***

- Q08. Elect a substitute for the (Vice-)provincial Superior and his vicar when they are both prevented from attending a General Chapter according to the norm of DC 708-c.
- Q09. Elect a substitute for the consultations (cf. St. 0159; DS 204.3).

### ***Regarding Resignations:***

- Q10. While the (vice-)provincial chapter is not assembled, accept the resignation of the (Vice-)provincial Superior and his vicar according to the norm of St. 0154 (cf. DS 104.2 D, E and F).
- Q11. While the (vice-)provincial chapter is not assembled, accept the resignation of (Vice-)provincial Consultors and of those appointed by the chapter (cf. DS 104.2 H and M).

### ***Regarding Formation:***

- Q12. Arrange the program for priestly formation of our priests according to the norm of St. 081-a, to be submitted to the General Government for approval (cf. DS D22 and Documents of the Apostolic See).

***Regarding Temporal Goods:***

- Q13. Impose extraordinary contributions on the communities (St. 0196).
- Q14. Approve the submission of a request to the General Government for assistance from the "Central Reserve for Help in Cases of More Urgent Need" (**Solidarity Fund**) (Comm. 6 (bis) CG 177/86; cf. DS D43, DS H05)

## CHAPTER IV

### Competencies of all Superiors

#### ***Regarding Administration:***

- R01. To give faculties to priests, even to those who do not belong to the Congregation, to hear the confessions of their members, the novices, and those who stay in the community day and night (CIC c. 969 §2 or CCEO c. 724 §2; St. 040).
- R02. To dispense in individual cases their members and others who stay in the house day and night from the obligation to observe a feast day or a day of penance, or to commute it to other pious works (CIC c. 1245).
- R03. To dispense their members from the prescriptions of the Constitutions and Statutes according to the norm of C. 102-a and -b.
- R04. To dispense from the obligation of reciting the Office in whole or in part, or to commute the obligation (CP 37; cf. CIC cc. 276 §2, 3°, 1174 §1 or CCEO c. 377; DS 502.2).
- R05. For a just reason, to dispense from private vows members, novices and persons who stay day and night in a house of the Institute (CIC c. 1196 §2 or CCEO c. 893 §1, 3°).
- R06. To give a precept of formal obedience according to the norm of C. 73-3°.

#### ***Regarding Liturgical Matters:***

- R07. To permit preaching to members in our churches and oratories (CIC c. 765; cf. CCEO c. 612).
- R08. To bring the Eucharist, in the form of Viaticum, to the sick who reside in our house (CIC c. 911 §1; cf. CCEO cc. 708 et 709).

R09. To permit members to use the faculty of hearing confessions according to the norm of CIC c. 969 §1.(cf. CCEO cc. 723 §2 and 724 §2).

***Regarding Associations:***

R10. To permit members to enroll in associations of the Christian Faithful (CIC c. 307 §3 or CCEO c. 578 §3).

***Regarding Temporal Goods:***

R11. To oversee the administration of the goods mentioned in St. 0207 (CIC c. 1279 or CCEO c. 1022 §§ 1-2).

R12. To accept onerous obligations according to the norm of St. 0200 with the consent of his consultors (and of the (vice-) provincial council).

R13. To effect alienations by written document with the consent of his consultors according to the norms of CIC c. 638 or CCEO cc. 423 and 1024 §§1-2 with St. 0193 (cf. DS 906).

***Regarding Expulsion:***

R14. With the consent of his council, a local superior can immediately expel a member from the religious house in the case of serious external scandal or very grave imminent harm to the Institute, if there is danger in delay, according to the norm of CIC c. 703 or CCEO c. 551 (cf. DS K20, DS 1904)

## Chapter V

### Competencies of Conferences

#### Art. S. Competencies of Conferences as such

- S01. The Conference, established by the XXIV General Chapter, is a structure embracing a certain number of provinces, vice-provinces, regions and missions within a particular geographical territory. By means of it the confrères and their collaborators join their efforts to better promote the mission of the Congregation in the whole territory of the Conference, in accordance with general and particular law. There are to be five Conferences (cf. XXIV Gen. Chap. Decisions 2.2.)
- S02. The Conference is an intermediate structure between the General Government and individual (vice-)provinces and regions. It includes all Redemptorists who live and work within its borders.
- S03. The Conference provides a forum in which to discern who and where the most abandoned are, especially the poor, (missionary priorities) and how we are called to serve them (apostolic priorities) in fidelity to our Redemptorist charism.
- S04. Each Conference, moved by “missionary dynamism” (Const. 14), is competent to determine its missionary and apostolic priorities, in the light of Const. 5 by showing “preference for situations, where there is pastoral need, that is, for evangelization in the strict sense together with the choice in favor of the poor”.

#### Art. T. Competencies of the Conference Assembly

- T01. The Assembly is the decision-making body of the Conference. It has as its function to:

- Determine the missionary and apostolic priorities of the Conference and revise them in accordance with the missionary character of the Congregation;
  - Enact, amend, authentically interpret or abrogate the Conference Statutes;
  - Propose three candidates for the office of Coordinator to be presented to the General Government.
- T02. The Redemptorists of a Conference are represented in the Assembly by:  
Representatives with voting rights:
- General Consultor(s) from the territory of the Conference;
  - (Vice-)provincial and Regional Superiors;
  - Superiors of Missions;
  - The Coordinator of the Conference;
  - Vocals, as determined by the Statutes of each Conference
  - At least one Brother. If one is not elected one must be appointed in accordance with the Statutes of the Conference.
  - Other persons may be elected or appointed from among:
    - Members of the Congregation, as determined by the Statutes of each Conference;
- Representatives without voting rights:
- Lay associates, representatives from sister-congregations, other persons, etc.
- T03. When the Superior General participates in the Assembly meeting, he is always the President of the Assembly and has voting rights.
- T04. The Assembly of the Conference, after dialogue within the units of the Conference, will determine its missionary and apostolic priorities, which should then be submitted to the General Government for approval (cf. Const. 17).

- T05. The Assembly, in the light of the missionary and apostolic priorities of the Conference, will determine where international or interprovincial communities might be established and their particular mission. These decisions, along with the reasons for establishing such communities and their program of preparation, should be submitted to the General Government for consultation and approval.
- T06. At the Assembly, a two-thirds majority vote is required to enact, amend, authentically interpret or abrogate the Conference Statutes. For other decisions, an absolute majority of valid votes is sufficient unless the contrary is stated in common or particular law (cf. Gen. St. 0141).
- T07. The Statutes of the Conference, as well as decrees issued by the Assembly, which pertain to the subject matter of the Constitutions and Statutes, cannot be promulgated until they have been approved by the General Council (cf. Gen. St. 0142).
- T08. The frequency of the meetings of the Assembly, the possibility of creating sub-conferences, and the manner of the convocation of assemblies are to be determined by the Statutes of each Conference.

## **Art. U: Competencies of the Coordinator**

### **A. Office of the Coordinator**

- U01. Each Conference has a Coordinator, who is appointed by the deliberative vote of the General Council for the sexennium, from a list of three candidates proposed by the Conference Assembly.
- U02. The three candidates must be presented to the General Council within a year after the Canonical Phase of the General Chapter.
- U03. The Coordinator of the Conference remains in office until

his successor is appointed by the General Council.

- U04. The Coordinator is chairman of the Conference and of the Assembly (cf. XXIV Gen. Chap., Decisions. 2.3.)
- U05. The Coordinator will have the authority of a delegate of the Superior General and will be given such faculties as are necessary or useful for the discharge of his office. (cf. XXIV Gen. Chap., Decisions. 2.3).
- U06. The Coordinators are to participate at least once a year in one of the extraordinary meetings of the General Council, as indicated by the General Council (cf. XXIV Gen. Chap., Decisions. 2.5).
- U07. The Coordinator is an *ex officio* member of the General Chapter. (cf. XXIV Gen. Chap., Decisions.4.8).
- U08. The Conference Coordinator has the right to participate in the Assemblies and Chapters of the units. (cf. XXV Gen. Chap., Decision 4.)

#### B. Competencies of the Coordinator personally

- U09. The Coordinator is to exercise his authority as delegated by the Superior General in the following areas:
  - International and interprovincial communities and initiatives;
  - Initial and ongoing formation;
  - Promotion and implementation of economic solidarity;
  - Development of a social apostolate;
  - Assistance to weaker units that need help in organizing their structures;
  - Promotion and facilitation of a process of fusion or federation, or other forms of association, where appropriate;
  - Accompaniment during General Visitations (cf. XXIV Gen. Chap. Decisions 2.4.)

- U10. The principal tasks of the Coordinator are:
- To guide the process of wider missionary discernment in the Conference;
  - To chair the Conference's review of life in a missionary perspective;
  - To act as 'animator' and support for new missionary initiatives in the Conference;
  - To be attentive to the needs of fragile units and to facilitate necessary decisions;
  - To help the Conference find good structures for initial formation;
  - To facilitate ongoing formation for confrères called to new initiatives, which may include establishing interprovincial and international communities;
  - To act as liaison with the General Council in all matters pertaining to the Conference.
- U11. The Coordinator, with the help of appropriate Secretariats, will promote and provide opportunities, in so far as possible,
- For common interprovincial retreats and days of reflection;
  - To help confrères grow in a deeper understanding of our common Redemptorist vocation, mission, spirituality and charism;
  - To review their lives in interaction with confrères from different units and countries.

#### C. Coordinator with his council

- U12. The Coordinator is assisted in his work by a council (XXIV Gen. Chap. Decisions, 2.3.) whose composition, designation and manner of functioning is determined in the Statutes of each Conference. The names of the council members are to be submitted to the General Government.



## **PART II**

### **COMMENTARY ON PARTICULAR MATTERS OF LAW**



## Chapter I. Offices and Councils

### Section 100: DESIGNATION, RENUNCIATION AND RESIGNATION OF OFFICES

#### 101. Designation to Office in the Congregation

##### 101.1 Meaning:

"Designation" indicates any act by which appointment or election to office is carried out (DC 103).

"Ecclesiastical Office" is any function constituted in a stable manner by divine or ecclesiastical law to be exercised for a spiritual purpose. (CIC c. 145 [CCEO c. 936 §1])

##### 101.2 Requirements of Age and Status

###### A. Superior General:

To be elected Superior General a member must be a perpetually professed priest, have lived for at least seven years in the Congregation since perpetual profession, and must be at least thirty-five years of age (C. 114-a).

###### B. (Vice-)provincial Superior:

He is a major superior and ordinary (St. 0156; CIC cc. 134 §1 and 620 [CCEO c. 984 §3]). To validly assume the office of (Vice-)provincial Superior, a member must be a priest, and must have completed thirty years of age and five years of perpetual profession (C. 124-b).

###### C. Other Superiors and Officers:

The office of local superior requires that he be able to exercise the power of governance. Therefore the local superior of a canonically erected house must be a cleric (cf CIC cc. 129 §1; 274 §1; 596 §2 [CCEO cc. 979 §1, 371 §2, 511]). Other requirements for the

designation of other superiors and officers of a (vice)province or region (e.g. local superior, director of formation, treasurer, secretary, archivist....) are left to (vice-)provincial statutes. St. 0178-a demands that the (vice-)provincial statutes state a minimum number of years completed after perpetual profession in order to assume the office of *local* superior.

D. Vicars of Superiors:

The Vicar General and (Vice-)provincial Vicars are considered major superiors and ordinaries by the Code of Canon Law (CIC c. 620 [CCEO c. 418 §1]).

Since the temporary substitution of any vicar for his superior requires that he be able to exercise the power of governance, the vicar must be a cleric (cf. CIC cc. 129 §1, 134, 274 §1, and 596 §2 [CCEO cc. 979 §1, 984 §3, 511]). If according to law, a vicar is to assume the office of his superior when the superior cannot complete his term, therefore the vicar must meet the same requirements of age and status as the superior (cf. DS 105, DS 101.2).

101.3 Manner of Designation:

A. Members of the General Government:

See CC. 110, 117, 118; SS. 0123, 0124; DS E18, DS E19, DS E20.

B. Members of the General Chapter and their Substitutes:  
(see DC).

C. Superiors and other Offices directly subject to the General Council:

See C. 120; St. 0127; DS D03, DS D04, DS D05, DS E20, DS E21.

D. Provincial Superior:

He is designated in the manner prescribed by the provincial statutes (St. 0153). His designation must be con-

firmed by the Superior General with the consent of his council (DS D08).

E. Vice-provincial Superior:

He is designated in the manner prescribed by the vice-provincial statutes (St. 0153). His designation must be approved by a collegial vote of the extraordinary provincial council and confirmed by the Superior General with the consent of his council (DS D08, DS J01).

F. (Vice-)provincial Superior by Appointment:

(Vice-)provinces also have the option of submitting the names of three confrères from which the Superior General and his council will designate the (Vice-)provincial Superior (cf. General Chapter XXV, 2016, decision 40). If this option is chosen the process for the selection of three candidates for the position of major superior will be determined by the (vice-)provincial chapter, if in session, or the extraordinary (vice-)provincial council if the Chapter is unable to gather. This option must be approved by the General Council before the names are designated and submitted (DS05).

G. Provincial Vicar:

He is to be designated, ordinarily from among the Provincial Consultors, in the manner prescribed by the provincial statutes. His designation must be confirmed by the Superior General with the consent of his Council (DS D09). (Although C. 127 uses the term "elected", this has been considered not to exclude other forms of designation.)

H. Vice-provincial Vicar:

He is to be designated in the manner prescribed by the vice-provincial statutes. His designation must be confirmed by the Provincial Superior with the consent of his extraordinary council (DS H01; CG 311/89; DS Document 3).

J. Regional Superior:

He is designated in the manner prescribed in the agreement between the region and its (vice-)province (cf. St. 090).

K. (Vice-)provincial Consultors:

They are designated in the manner prescribed in (vice-)provincial statutes (St. 0158-b; DS 203).

L. Provincial Chapter Members:

There are to be both *ex officio* members (who must include the Provincial Superior, the ordinary Provincial Consultors, and the Vice-provincial Superiors or their representatives), and members elected according to the provincial statutes and/or electoral law (C.122, SS. 0144, 0151).

M. Vice-provincial Chapter Members:

There are to be both *ex officio* members (who must include the Provincial Superior or his representative, the Vice-provincial Superior, and the ordinary Vice-provincial Consultors), and members elected according to the vice-provincial statutes and/or electoral law (cf. C. 122, SS. 0144, 0151).

N. Superiors of Communities and their Vicars:

These are designated according to the prescriptions of the (vice-)provincial statutes or regional agreement (cf. SS. 091, 0178-b and -c). Superiors, if elected, need confirmation by a major superior who should be indicated in the law (cf. CIC c. 625 §3; DS G03 [CCEO c.515 §2])

P. Community Consultors:

These are designated according to the prescriptions of the (vice-)provincial statutes or regional agreement (cf. SS. 091, 0181; DS 203).

Q. Directors (Moderators) of Formation:

Those directors indicated in St. 0169-a are designated according to the prescriptions of the (vice-)provincial statutes (cf. St. 0164). The secretariat of formation must first be consulted (St. 0167). Unless the (vice-)provincial statutes indicate otherwise, those mentioned in DS M15 are named by the (Vice-)provincial Superior with the consent of his ordinary consultors (cf. St. 0164).

101.4 Invalid Designations:

If someone is invalidly designated to office, his designation needs a sanation, which can be sought in the following ways:

A. From the Holy See:

If the impediment arises from universal law, the Holy See must be requested. This is done through the procurator general (St. 0129).

B. From the General Council:

If the impediment arises from C.Ss.R. general law, the General Council must be asked (DS E17, cf. DC 315-a).

C. From the extraordinary (vice-)provincial council:

If the impediment arises from the (vice-)provincial statutes, the sanation is sought from the council, when the (vice-)provincial chapter is not assembled (DS Q07; cf. DC 315-a).

**102. Entering into Office in the Congregation:**

102.1 Acquisition:

A person acquires his office as soon as the legitimate process of designation (or confirmation) is completed and the person has at least implicitly accepted, unless the particular law or the mandate of the competent higher superior indicates otherwise. (St. 095-a; cf. CIC cc. 178-179 [CCEO cc. 958-960])

## 102.2 Installation:

A superior takes possession of his office according to the process in St. 095-b (cf. *Supplement to the Directory of Superiors* [online] Part I, Taking Office, Form 01.1).

## 102.3 Document of Designation

The "document" of appointment, election or confirmation by which a superior takes legitimate possession of his office (St. 095-b) can be either a written document, **an email**, a telegram, a telefax message or a telephone call from the proper authority. The communication of this document by the presiding officer or secretary of a chapter, or by the superior of a community, constitutes the legal form by which the person takes possession of his office. An authentic record of this communication should be kept (AC XX [1985], pp. 178-180)

## 102.4 Ceremony:

The taking of office, together with the profession of faith and the oath of fidelity, is made:

- by the (Vice-)provincial Superior before any community of the (vice-)province;
- by other superiors before their own community (St. 095-b).

(cf. *Supplement to the Directory of Superiors* [online] Part I, Taking Office, Form 01.1), for a suggested plan of the ceremony.

## 102.5 Profession of Faith and Oath of Fidelity:

All superiors, upon taking possession of their office, are required to make this profession and oath personally, using the formula approved by the Holy See (St. 095-b; CIC c. 833 §8). They need not repeat it if reappointed to the same office (cf. St. 095-c). The approved formula is found in *Supplement to the Directory of Superiors* [online] Part I, Taking Office, Form 01.2.

#### 102.6 Spiritual Exercises:

Superiors should remember the custom of making a period of retreat at an appropriate time as they undertake their office (St. 095-f).

### **103. Duration of Office in the Congregation:**

#### 103.1 Replacement:

A superior remains in office until his successor assumes office (St. 095-d), until his resignation is duly accepted by the competent authority (St. 097), or until he is removed from office by a legitimate decree (DS D11, DS P11). This norm is valid whether the designation of his successor is delayed or anticipated.

#### 103.2 Quadrennium:

Superiors in the units of the Congregation are designated for a four-year period (Revised SS. 0153-d, 0178-b). (See also AC XXIV, 2009, decision 17).

#### 103.3 Third Terms:

The designation of a person as the superior of the same community for more than two consecutive terms requires the confirmation of the Superior General with the deliberative vote of his Council (DS D16).

#### 103.4 Limits to Terms by (Vice-)provincial Statutes:

The limits placed on terms by (vice-)provincial statutes are to be carefully followed. Departures from them require a process of postulation if the confrère is elected (DC 315) or a dispensation if he is otherwise designated to office (DS 101. 4 C). The meaning of postulation and the norms that govern it are given in CIC c.180-183.

**104. Resignation or Renunciation of Offices in the Congregation:**

- A. “Resignation” is the juridic act by which a person holding an ecclesiastical office initiates a request to leave the office. (CIC c. 187 [CCEO c. 967]). At times our statutes refer to ‘resignation’ as ‘abdication’. (SS 097; 0154).
- B. “Renunciation” is the non-acceptance of the election by the person elected (CIC c. 177 [CCEO c. 957]).

**104.1 Conditions:**

What is stated in our proper law about resignation and renunciation of elections is valid with regard to resigning or renouncing any designation to an office or work. (DC 314; St. 0165):

- A. Our law requires that the person elected must accept the designation to the office (DC 314).
- B. “Grave reasons” are required for the renunciation of or resignation from any office or work.
- C. These reasons are to be communicated to the competent authority for consideration and acceptance or rejection.
- D. Any renunciation or resignation must be accepted by the competent authority. A renunciation or resignation which has not been accepted has no effect (St. 097).

**104.2 Competent Superior or Body:**

To receive the renunciation or resignation of:

- A. Members of the General Government:  
The competent authority when the Chapter is not in session is the General Council acting as a college. (See: C. 116-b; DS E23, DS E24, DS E25, DS E26).
- B. Members of the General Chapter and their Substitutes:

When the General Chapter is not assembled, the extraordinary provincial council is competent to act by collegial vote (DC 726; DS J02).

C. Superiors, Coordinators and Other Officers Directly Subject to the General Government:

See DS C02, DS E26.

D. (Vice-)provincial Superior:

The (vice-)provincial chapter, or the extraordinary (vice-)provincial council when the chapter is not in session, is competent. If the office has already been accepted, its resignation must also be confirmed by the Superior General with the consent of his council (GS 0154: DS D08, DS Q10).

E. Provincial Vicar:

The provincial chapter, or the extraordinary provincial council, when the chapter is not in session, is competent. If the office has been accepted, its resignation must also be confirmed by the Superior General with the consent of his council (DS D08, DS Q10).

F. Vice-provincial Vicar:

The vice-provincial chapter, or the extraordinary vice-provincial council, when the chapter is not assembled, is competent. If the office has been accepted, his resignation must be confirmed by the Provincial Superior with the consent of his extraordinary council (DS Q10).

G. Regional Superior:

In the manner prescribed in the agreement between the region and its (vice-)province; if no manner is prescribed, the same superior who has the right to designate is competent (cf. CIC c. 189 §1; [CCEO cc. 969, 970 §1]; St. 090).

H. (Vice-)provincial Consultors:

The (vice-)provincial chapter or the extraordinary (vice-)provincial council, when the chapter is not in session, is competent (DS Q11).

J. (Vice-)provincial Chapter Members and their Substitutes:

In the case of elected members or substitutes, the (vice-)provincial chapter, or the extraordinary (vice-)provincial council, when the chapter is not in session, is competent (DS Q02). In the case of ex officio members, resignation of membership requires resignation of office. (The case of an ex officio member who cannot attend is covered by substitution.)

K. Superiors of Communities, their Vicars and Consultors:

The competent superior according to the prescriptions of the (vice-)provincial statutes or regional agreement (cf. SS. 0178 and 0181). If no other provision is made, the resignation is accepted by the authority with the power to designate to, or confirm in, the office (cf. CIC c. 189 §1 [cf. CCEO cc. 969, 970 °1]).

L. Directors (Moderators) of Formation:

According to the prescriptions of the (vice-)provincial statutes (cf. St. 0164), if no other provision is made, the resignation is accepted by the authority with the power to designate to, or confirm in, the office (cf. CIC c. 189 §1 [cf. CCEO c. 970]).

M. Other Officers Designated by the (Vice-)provincial Chapter:

The (vice-)provincial chapter, or the extraordinary (vice-)provincial council, when the chapter is not in session, is competent (DS Q11).

## **105. Succession:**

### 105.1 In general:

In our law, a vicar generally succeeds his superior in office if the latter cannot complete his term. (C. 140)

### 105.2 Vicar General:

See C. 117.

### 105.3 (Vice-)provincial Vicars:

They succeed the (Vice-)provincial Superior until the next ordinary (vice-)provincial chapter, unless the (vice-)provincial statutes determine otherwise (C. 127).

### 105.4 Vicars of Communities:

They succeed the local superior until the next ordinary appointments, unless the (vice-)provincial statutes determine otherwise (cf. CIC c. 140 [cf. CCEO c. 990]).

## **106. Offices outside the Congregation:**

### 106.1 Permission: Accepting an office

In order for a member to accept an ecclesiastical office outside the Congregation, the permission of the competent superior is required (cf. CIC c. 682 §1 [cf. CCEO c. 431 §1]). This is presumed to be the (Vice-)provincial Superior with the consent of his ordinary council unless (vice-)provincial statutes indicate otherwise.

### 106.2 Removal from Office

A Redemptorist can be removed from the office entrusted to him either at the discretion of the authority who entrusted it, after having notified the major religious superior, or at the discretion of the superior, having notified the authority; and neither requires the consent of the other. (CIC c. 682 §2 [CCEO c. 1391 §2]).

## **107 Apostolic works accepted by the Congregation**

### 107.1 These works should be organized after consultation be-

tween the Diocesan Bishop and the competent major superior with the consent of his ordinary council. (CIC c. 678 §3; [CCEO c.415 §2]).

107.2 There must be a written contract which, among other things, expressly and accurately defines what pertains to the work to be carried out, the members to be devoted to this, and financial arrangements. (CIC c. 681 §2; [CCEO c. 282 §2]; see *Supplement to the Directory of Superiors* [online] Part II A).

## **108 Profession of Faith and Oath of Fidelity:**

The following are obliged to make a personal profession of faith as well as an oath of fidelity in accord with formulae approved by the Holy See (CIC c.833), (Cong, for Doc. of Faith, 25 February 1989):

- A. At the beginning of their term of office, in the presence of the local ordinary or his delegate:
  - pastors
  - rectors of a seminary
  - professors of theology or philosophy in seminaries.
- B. Those to be promoted to the order of deacon, in the presence of the local ordinary or his delegate.
- C. Teachers in any universities whatsoever who teach disciplines which deal with faith or morals, in the presence of the person indicated in CIC c. 833 §7.
- D. Other cases are indicated in CIC c. 833 but they are rare in the Congregation.

The approved formulae are found in *Supplement to the Directory of Superiors* [online] Part I, Taking Office Form 01.2

## Section 200: COUNCILS

### **201. Types of Councils**

#### 201.1 General Council:

Cf. CIC cc. 118, 119; [CCEO. cc. 924, 1°-2°, 956 §1].

#### 201.2 (Vice-)provincial Councils: (CIC c. 627; [CCEO cc. 282 §2, 557])

A (Vice-)provincial Superior ordinarily is to have two types of councils, whose membership and numbers are to be determined by the (vice-)provincial statutes (St. 0158-b):

A. An ordinary council for assistance in ordinary tasks. Unless the extraordinary council is clearly indicated, the term "(vice-)provincial council" in our law is taken to refer to the ordinary council.

B. An extraordinary council "to deal with matters of greater importance" (St. 0158-a) which are to be explicitly determined by the Constitutions, the General Statutes or the (vice-)provincial statutes (SS. 0160, 0161, 0162).

Note: Some (vice-)provinces have one council, which always has more than two members, to serve both the functions of ordinary and extraordinary councils.

#### 201.3 Regional Councils:

There will be a council to assist a regional superior. Its role is determined by the agreement which establishes the region (St. 090).

#### 201.4 Conference Councils:

Each of the Conferences will have a Conference Council to assist the Conference Coordinator in his work (DS U12)

## 201.5 Community Councils:

Each superior of a canonically erected house and of a residence is to have a council, whose membership and role are determined by the (vice-)provincial statutes (St. 0181).

## 202. Role of Councils

The role of the councils is to assist the superior in carrying out his office. A council can be involved in the decision-making process in two ways: advice or consent. Besides those cases prescribed by universal law, our proper law determines which cases require either the advice or consent of the Council in order to act validly (CIC c. 627, §2; [CCEO cc. 422 §1, 934]).

### 202.1 Consultation (Consultative Vote):

This is the case in which a superior must seek the opinion of the members of his council ("hear his council"), but is not obliged to follow the advice even if it is unanimous.

When consultation is required, there are two conditions necessary for *the validity* of the proposed action:

- A. The council must gather together for the consultation according to the norms of CIC c. 166, [CCEO c. 948] (cf. DS 202.4 below), unless (vice-)provincial statutes permit the superior to consult its members separately (St. 0108-b; CIC c. 127 §1 [CCEO c. 934 §1]).
- B. For the action to be valid, the advice of all the consultors present must be sought (CIC c.127 §1; [CCEO c.934 §2]).

### 202.2 Consent (Deliberative Vote):

This is the case in which a superior cannot act validly without the agreement of an absolute majority of the council members present for the vote.

When consent is required, three conditions are neces-

sary for the *validity* of the proposed action:

- A. The council must gather together for the discussion (cf. DS 202.4 below); (vice-)provincial statutes *cannot* change this norm (CIC c. 127 §1; [CCEO c. 934 §1]; St. 0108-a).
- B. An absolute majority of *the consultors present* must agree with the proposed action; abstentions and invalid votes do not lower the number of votes required for an absolute majority (CIC c. 127 §1; [CCEO c. 934 §1]; St. 0108-a).
- C. The superior does not vote with the others; however, he may break a tie vote (cf. St. 0108-a, modified by CG 311/89 on the basis of a decision of CICLSAL 25 November 1988; DS Document 3).

### 202.3 Collegial Decision:

A collegial decision is one in which the council and the superior vote as a group. The superior votes with the others and his vote is counted as equal to that of any of the others. The majority determines the decision.

Two different situations are possible: election to offices; and other types of business (cf. CIC c. 119 [CCEO c. 924, 1°-2°]). Universal law on collegial voting deals with distinct subject matters (CIC c. 119 [CCEO cc. 924, 3°; 956 §1]). elections to offices; and other types of business.

#### A. Elections:

For a valid election:

- I. A majority of the council must be present.
- II. An absolute majority of those present must be obtained; abstentions and invalid votes do not lower the number of votes required for a majority.
- III. After two votes without anyone being elected, only

the two candidates with the highest relative majority on the second ballot remain eligible. In case of a tie on the second or third ballot, St. 0210 decides the election: he is elected who is senior, first by profession, then by priesthood, then by age. On the third ballot, a relative majority suffices (AG 0200 523/89; AAS 82(1990), 845).

IV. (Vice-)provincial statutes can modify the conditions in I, II, and III (CIC c. 119; St. 0210).

B. Other Types of Business:

For a valid decision:

I. An absolute majority of the council must be present.

II. An absolute majority of those present decides the issue; abstentions and invalid votes do not lower the number of votes required for an absolute majority.

III. In case of a tie, a second vote is taken.

IV. In case of a tie on the second vote, the superior may break the tie by his vote (CIC c. 119-2°; CCEO c. 924, 1°. St. 0109).

V. (Vice-)provincial statutes may modify these conditions, but not points III and IV, which are determined by St. 0109.

202.4 "Gathered Together":

This is ordinarily understood to mean that the group is physically present to one another in the same location. Our Congregation has an indult from CICLSAL (Prot. no. 21003/88, 26.5.88) to make use of a "conference call" (i.e. a telephone connection which allows several persons in different locations to simultaneously hear and speak to one another) for any consultation or vote under the following

conditions:

- A. The superior judges in a particular case that there is some urgency or other reason which makes it difficult to gather the group into one place;
- B. There is no (vice-)provincial statute against using a conference call for the business being treated;
- C. No member of the group is opposed to using the conference call for the matter being treated;
- D. No secret vote is required by law (cf. DS 205 below).

### **203. Membership**

Any professed member of the Congregation may be a member of a council, unless (vice-)provincial statutes place certain requirements, such as perpetual profession, number of years of profession, age, etc. Only clerics, however, may be superiors or their vicars (cf. DS 101.2 B, C and D).

### **204. Substitution**

#### 204.1 In General:

If a member of a council is temporarily impeded from attending meetings of the council, a substitute should be elected, except as indicated below. A substitute is not a proxy; that is, a substitute votes as he wills in his own name and not according to the directions of the person for whom he is substituting.

#### 204.2 The General Council:

Cf. St. 0126 (cf. DS Document 1)

#### 204.3 (Vice-)provincial Councils:

The substitute is elected collegially by the (vice-)provincial council involved (DS N01, DS Q09).

A substitute for a member of the ordinary (vice-)provincial council should be elected from the unit's extraordinary council, "as far as possible" (St. 0159-b).

A (vice-)provincial chapter may indicate that in certain matters the opinion of an absent consultor must be sought (St. 0160). In this case (if a "conference call" is not used; cf. DS 202.4 above), a majority of the other consultors must be actually present at the consultation and no substitutes are used (St. 0159-a). (Vice-)provincial statutes should determine the value of the opinion of absent members in collegial actions: is it consultative, or is it equal to an actual vote (CIC c. 119, [CCEO c. 924 §1]). In the case of deliberative votes, the opinion of the absent consultors has only consultative value; the matter is decided by the majority vote of the members actually present (CIC c. 127 §1; [CCEO c. 934 §1]; St. 0108; cf. DS 202.2).

#### 204.4 Community Councils:

The (vice-)provincial chapter shall give the norms for the use and election of substitutes on community councils (St. 0181).

### **205. Secret Votes:**

Ordinarily votes of councils are made publicly. There are cases, however, when a secret vote is required:

#### 205.1 By Universal Law:

- A. In elections (CIC c. 172 §1-2°; [CCEO c. 954, 2°]).
- B. In dismissals from the Congregation (CIC c. 699 §1; [CCEO c. 500 §1]).

#### 205.2 By General Statutes:

When a member of the council requests a secret vote (St. 0110-b).

### **206. Majorities**

#### 206.1 Types of Majorities:

The following majorities are indicated in law for various occasions:

- A. Absolute Majority:

This means more than one half of the votes which are to be counted; e.g. 4 out of 6 ( $1/2$  of 6 = 3); 4 out of 7 ( $1/2$  of 7 = 3.5). Unless the law clearly requires a different type of majority, an absolute majority decides the matter (St. 0110-a) Cf. however, DC 202.3-A-III.

**B. Relative Majority:**

This means more votes than any other person or alternative propositions being voted for. It need not be more than half of the votes to be counted. For example, if three persons are being voted for, and one receives 5 votes, the second 4 votes and the third 3 votes, the first person has a relative majority.

**C. Qualified Majority:**

This means that the type of majority is a specified ratio of the number of votes; e.g.  $2/3$ rds,  $4/5$ ths. If the law speaks of a qualified majority without indicating the ratio, it is to be understood as  $2/3$ rds; e.g. 4 out of 6; 5 out of 7 ( $2/3$  of 7 = 4.6) (DC 207-a).

**206.2 Computation of Majorities:**

Unless the (vice-)provincial chapter determines otherwise in collegial votes, all voting members present in the room at the council or chapter meeting are to be counted to determine the majority. This means that even abstentions and invalid votes are counted, and do not lower the number of votes required for a majority (CIC cc. 119 and 127 §1; [CCEO cc 924, 1°-2°, 934 §1]). For elections, cf. also DC 404-d about absence from the chapter hall due to sickness.

**207. Recourse**

Recourse against the decision of a majority vote can be made to the immediate major superior. If the matter involves incurring expenses or alienating property, the recourse has suspensive effect (i.e. the action may not be carried out until the major superior approves it); in other business, the recourse has devolutive effect (i.e. the decision stands and

may be acted upon until such time as the major superior overrules it) (C. 101).

In the case of improprieties in elections, cf. DC 311 and CIC c. 166; [CCEO c. 948].

Universal law provides norms for recourse against decisions made by those in authority. (CIC cc1732 – 1739; CCEO 996 – 1006). In the case of Redemptorists, it is expected that the norms that provide for recourse to higher authority within the Congregation should first be followed before recourse is made to a higher authority in the Church.

## Chapter II. Business with the General Government

### Section 300: GUIDELINES FOR BUSINESS

#### 301. Purpose:

This chapter gives the guidelines for properly conducting written business with the General Government (Comm. 5 CG 122/86).

#### 302. Protocol number:

When treating a subject previously handled by the General Government, cite the protocol number assigned to it by the General Government.

#### 303. Pages:

Treat each subject on a separate page. **Never write on the back of a page.**

#### 304. Size:

Use standard size paper (A4; 21 x 29,7 cmts; 8-1/2 x 11 ins.)

#### 305. Print:

Use a typewriter or printer with black print.

#### 306. Indications:

At the top of each page indicate: date, location, name of (vice-)province or region, and its official number. Then give a short indication of the topic: e.g. RE: Dispensation of Father John Johns.

#### 307. Names:

In referring to a person, use his full name without abbreviations, indicating given (baptismal) name and family name (surname). Underline the family name (surname) (e.g. John James Johns; or Pablo Garcia de la Vega; or Nguyen-Van Alfredus.) Use the order and spelling as in the vernacular. If the language does not use Roman charac-

ters, transliterate the name. Also indicate whether the person is a priest, deacon, brother, clerical student or lay person.

**308. Signature:**

Each matter should conclude with the signature of the person submitting it and the date. Under the signature should be typed the person's complete name (given and family) and office in the Congregation.

**309. Vice-provincial or Regional Business:**

If business from a vice-province or region requires approval of the province, a copy should be sent immediately to the province, since the General Government will not act until notice is received of the action of the province.

**310. Telefax/ Email:**

Documentation and letters may be sent via a facsimile machine (telefax) using the telephone number published by the General Government or by email. However, the Holy See will no longer accept unauthenticated digital material as its only source of documentation. The General Government may decide an issue and authorize its presentation to the Holy See based on faxed or e-mailed materials; however, presenting it to the Holy See must wait until we have the original documentation or at least a copy of the original documents with every page signed and sealed by the secretary of the (vice-)province. If the matter is of extreme urgency, the Holy See will act based on faxed or e-mailed documents with the assurance of the General Government that the original or authenticated documents will be submitted within a brief period of time.

Care should be taken that confidential material intended for the Superior General only (or for private use by others in the Curia) is not sent by telefax.

### **311. News:**

The General Government always welcomes news; but please put it on a separate sheet from official business.

## Section 400: REPORTS TO BE SENT TO THE GENERAL GOVERNMENT

### **401. Requirements**

Certain reports are to be sent regularly by (vice-) provinces to the General Government (St. 0163).

### **402. State of the (Vice-)province**

A report which summarizes the state of the (vice-) province is required by St. 0163. Although the general statute calls this an annual report, the General Government accepts in its place reports prepared for (vice-)provincial chapters, visitation reports, or a **quadrennial** report. It should contain these points about the state of the (vice-) province:

- A. A general evaluation of the (vice-)province regarding:
  - I. Internal life of the (vice-)province and its communities.
  - II. Provincial or community administration (e.g. activities of the councils, secretariats, chapters, etc.)
  - III. Pastoral ministry (activities, meetings, workshops, etc.)
  - IV. Formation (vocational work, first formation, continuing formation, etc.)
- B. Special mention of key or unusual events (both good and bad) as well as special issues or problems in

any of the areas listed in A.

This report is to be made in consultation with the ordinary (vice-)provincial council and to be signed by its members (St. 0163; DS LI3). It would be good for a vice-province to send a copy of this report to its provincial government, but the report does **not** require the latter's approval.

#### **403. Annual Reports**

##### **403.1 Financial AND AUDIT Report:**

- A. These reports on the financial state of the (vice-) province and its communities are to follow the form determined by the General Secretariat for Finance and approved by the General Government found in the *Manual for Administration and Financial Affairs*.
- B. They are to be sent within six months of the close of the (vice-)province's fiscal year.
- C. They require the approval of the (Vice-)provincial Superior with the consent of his extraordinary (vice-) provincial council (DS PI7). It is to be signed by: the (Vice-) provincial Superior, the (vice-)provincial secretary in the name of the council, and the (vice-)provincial treasurer (St. 0174-b).
- D. The financial and audit reports of a *vice-province* also require the approval of the Provincial Superior with the consent of his extraordinary provincial council before being forwarded to the General Government (St. 0174-b; DS H04). The approval must be signed by the Provincial Superior and the provincial secretary in the name of the council (St. 0174-b).

Therefore, two official copies should be sent by the vice-province to the province, one for its records and one to be forwarded by the province to the General Government with its approval.

#### 403.2 Statistical Report

- A. A report on the personnel of the (vice-)province is to be made in January of each year according to the form distributed by the office of the Secretary General.
- B. It is recommended that a copy of the statistical report of a vice-province be sent to the provincial government; but the report does *not* need provincial approval.

#### 404. Reports of Personal Events

The following reports should be sent to the General Government by the (Vice-)provincial Superior soon after the occurrence of the event, using the proper form if one is indicated in the DS.

##### 404.1 Entrance into Novitiate:

Send the names of those entering the novitiate together with the date on which the novitiate begins. (cf. *Supplement to the Directory of Superiors* [online] Part I; Novitiate, Form 09).

##### 404.2 First Profession:

Send a copy of the certificate of profession of each person professed (cf. DS 1107.1). (cf. *Supplement to the Directory of Superiors* [online] Part I; Profession, Form 11.1).

For each person professed, the personal record form **must** be submitted. (cf. *Supplement to the Directory of Superiors* [online] Part I; Profession, Form 11.2).

##### 404.3 Renewal or Non-Renewal of Temporary Vows:

Send a copy of the renewal of profession of each person renewing vows (cf. DS 1107.2). (cf. *Supplement to the Directory of Superiors* [online] Part I; Profession, Form 12).

The names of those *not renewing vows and thus leaving the Congregation* **must** also be reported (cf. DS 1107.3;

DS **1601.4**). (cf. *Supplement to the Directory of Superiors* [online] Part I; Profession, Form 15).

404.4 Perpetual Profession:

Send a copy of the certificate of profession of each person professed (cf. DS 1107.4). Use DS Form 13 found in *Supplement to the Directory of Superiors* [online] Part I; Profession.

This notice should also be sent to the parish of baptism (CIC c. 535 §2; [CCEO c. 296 §2]).

404.5 Ordination to Permanent Diaconate or Presbyterate:

A copy of the testimony of ordination for each person ordained (cf. DS 606.6). Use Form 043.3 found in *Supplement to the Directory of Superiors* [online] Part I; Ordination. This notice should also be sent to the parish of baptism (CIC c. 535 §2; [CCEO c. 296 §2]).

404.6 Transfers to another Province:

The names of confrères who transfer to another (vice-) province are to be sent to the General Government. This is the responsibility of the major superior of the (vice-) province of origin.

404.7 Dispensation from Temporary Vows:

Send a copy of the indult and its acknowledgement (cf. DS 1651.5. 3). Cf. *Supplement to the Directory of Superiors* [online] Part I; Separation from the Congregation, Form 16.1 and Form 16.2.

404.8 Absence from and Return to Community:

Send a copy of the permission for an absence which causes loss of voting rights (cf. DS 1405). Cf. found in *Supplement to the Directory of Superiors* [online] Part I; Absence from a Religious House, Forms 14.1 and 14.2.

If this absence is legitimately extended (cf. DS 1405), a copy of the permission for extension should also be forwarded.

When the person returns to the community, notice of this should also be sent.

404.9 Illegitimate Absence:

Send a notice of illegitimate absence, containing a brief explanation of the situation (cf. DS 1406). Cf. *Supplement to the Directory of Superiors* [online] Part I; Absence from a Religious House, Form 14.3.

404.10 Declaration of *ipso iure* Dismissal:

Send a copy of the declaration of the fact of *ipso iure* dismissal. It must be signed by the (Vice-)provincial Superior and the members of his ordinary council (cf. DS 1902.4). Use Form 18 found in *Supplement to the Directory of Superiors* [online] Part I; Separation from the Congregation.

404.11 Definitive Incardination or Transfer:

When a member receives definitive incardination in a diocese or makes perpetual profession in another religious institute, notice of the incardination or transfer should be forwarded.(cf. DS 1701.5; 1702.4.6; 1804.3).

404.12 Death:

Send notice of death with indication of exact day of death (if known). Use Form 03 found in *Supplement to the Directory of Superiors* [online] Part I; Death of a Confrere. If a brief biography of the member is available, this should also be forwarded.

**405. Designations to Office**

405.1 Vice-provincial Vicars:

When the provincial government confirms the Vice-provincial Vicar, it should send notice of this together with the date of confirmation (cf. St. 0153-c).

405.2 (Vice-)provincial or Regional Government:

When a new government is elected, names of its members should be sent to the General Government. Use Form 01.3

found in *Supplement to the Directory of Superiors* [online] Part I; Governance.

405.3 Superiors:

The names of men appointed to the office of superior in our communities, as soon as the appointment is made. At the time of ordinary appointments, it is enough to forward a list of these.

405.4 Directors of Formation:

The names of men appointed to the offices indicated in St. 0169-a, as soon as the appointment is made.

405.5 Other Officers:

The names of other officers appointed – treasurer, secretary, director of communications, etc. – must also be submitted as soon as the appointment is made. Use Form 01.3 found in *Supplement to the Directory of Superiors* [online] Part I; Governance.

**406. Communities or Residences:**

Send notice of new communities or residences established or old ones being closed or changing address. Information on a new one should include address and telephone numbers, other contact information and an indication of the canonical house to which the community or residence is attached if it does not have its own superior (cf. DS P06, DS P08, DS P14; [cf. *Supplement to the Directory for Superiors* (online) Part I, Governance, Form 07]).

**407. (Vice-)provincial Statutes**

If the extraordinary (vice-)provincial council uses its right to officially interpret, change, amend or abrogate a (vice-)provincial statute, it must notify the General Government (St. 0161).

**408. (Vice-)provincial Chapter**

408.1 Notice of Convocation

Send a copy of the official letter convoking an ordinary or extraordinary (vice-)provincial chapter to the General Gov-

ernment (St. 0147).

#### 408.2 Official Acts or Minutes of Chapter

A copy of the acts or minutes of the chapter are to be sent for review by the General Government. A summary of the Chapter activities, in one of the official languages of the Congregation (English, Spanish, Italian), **must** also be included, especially for units where the Chapter Acts are not in one of the official languages of the Congregation.

#### 408.3 Chapter Decisions

A *separate* list of any new (vice-)provincial statutes, or matters touching the Constitutions and General Statutes, must be included since these need the approval of the General Government (St. 0142).

In the case of a vice-province, the change of statutes also requires an expression of the opinion of the extraordinary provincial council before approval by the General Government. Therefore, two official copies should be sent by the vice-province to the province, one for its records and one to be forwarded by the province to the General Government with its opinion (St. 0142).

### **409. General Chapter**

#### 409.1 List of Eligible Members:

As soon as a General Chapter is convoked, provinces that have the right to elected members must send a list of members with the right to vote and be voted for (DC 718).

#### 409.2 Balloting for Elected Members:

Notice must be sent to the General Government of the date on which the first (and second) ballots for elected members and substitutes will be counted (DC 718).

#### 409.3 Election:

The names of the elected members and substitutes must be sent immediately to the General Government, even if

the election of all substitutes is not completed (DC 722-g).

409.4 Acts of the Electoral Commission:

Complete copies of all meetings and decisions of the electoral commission, including decisions on any recourse made to it about the election (cf. DC 722-h).

**410. Conference Meetings and Assemblies**

Copies of the notice of convocation, the program, and the acts of Conference meetings and Assemblies should be sent to the General Government (St. 0187).

**411. Canonical Visitations by the General Government**

Information needed for the official visit of the General Government is explained in material sent to the unit before the visit.

## Chapter III. Liturgy and Sacred Orders

### Section 500: LITURGY

#### **501. Eucharist**

##### 501.1 Place

Besides the general norms of universal law (cf. CIC cc. 932, 933 [CCEO cc. 705, 707]) which now grant to all much of what was formerly ours only by privilege, our Redemptorist privileges allow that our houses and residences may have as many oratories designated solely for divine worship as judged necessary by the (Vice-)provincial Superior (CP 104; DS K07; cf. CIC c. 1223).

##### 501.2 Concelebration:

Concelebration in our communities is favored by our General Statutes (St. 028-a). Concelebration is permitted with due regard for pastoral need and the freedom of each priest to celebrate the Eucharist individually, though not during the time when there is a Concelebration in the same church or oratory (CIC c. 902 [CCEO c. 700 §2]).

##### 501.3 Bination or Trination:

- A. The universal law applies regarding permission for members to celebrate more than one Mass a day (CIC cc. 905, 919 §2).
- B. Second and third Masses may be said for a stipend, but (except on Christmas) the stipend may not be kept by the priest himself; the stipends must be used for the purpose set by the ordinary (CIC c. 951 §1). The competent ordinary for members who are not pastors or pastoral vicars is the (Vice-)provincial Superior (DS K08); for pastors and pastoral vicars, it is the local ordinary (PCLT, 25.11.87).

##### 501.4 Concelebrating a Second Mass:

- A. Members who have pastoral duties which require the celebration of the Eucharist may concelebrate another

Eucharist with their community on the same day (CDWDS, Declaratio de Concelebratione, 07.08.72).

- B. Priests who concelebrate on the occasion of pastoral visitations or meetings of priests, may also celebrate the Eucharist a second time if there is a pastoral reason (CDWDS, *ibid*).
- C. A priest who has celebrated two Masses on the same day may not concelebrate a third Mass (CDWDS, 31.01.73).
- D. No stipend may be taken for a second Mass on the same day when it is a concelebration (CIC c. 951 §2).

## **502. Divine Office**

### **502.1 Obligation:**

Priests and deacons aspiring to priesthood are obliged to fulfill the liturgy of the hours daily; permanent deacons follow the prescriptions of the conference of bishops (CIC c. 276 §1-3°, [cf. CCEO c. 377]).

### **502.2 Dispensation and commutation:**

In individual cases or for particular occasions, superiors can dispense their members from the obligation of divine office in whole or in part, or commute the obligation to some other good work (DS R04; CP 37; cf. PYF, 3-D-2).

## **503. Blessings:**

(Vice-)provincial Superiors may bless oratories, churches (by reason of privilege) and cemeteries destined primarily for the use of Redemptorists (DS K06). They may also declare the cessation of blessing of these places (CIC c. 1212). The definition of a church and oratory are found in CIC cc. 1214 and 1223 [CCEO c. 869]; the procedure and documents are mentioned in CIC cc. 1208, 1209, 1224, 1229 [CCEO c. 871 §2].

The faculties to perform other blessings follow the Revised Codes and Revised Roman Ritual.

The faculty to erect the Stations of the Cross in our houses outside a sacred place remains in force (CP 148-4°; PYF III-C-4).

The faculty to impart the Apostolic Blessing at the end of missions has been rescinded because universal law now grants a plenary indulgence to all the faithful who attend a mission or retreat. However, missionaries are encouraged to impart a special blessing at the close of missions and retreats and remind the faithful that they can gain a plenary indulgence according to the usual conditions for participating in the mission or retreat (cf. *Analecta CSsR* 1985, pp. 10 – 11).

## **504. Oriental Rites**

### **504.1 Novitiate in Latin Rite:**

- A The Code of Canon Law for the Latin Church (CIC) does not require any permission for a member of an Oriental *sui iuris* Church (Oriental Rite Church) to be admitted to a Latin Rite novitiate. However,
- B. The Code of Canon Law for the Eastern Churches (CCEO) does require, under certain circumstances, the permission of the Holy See for a member of an Oriental Church to make a Latin Rite novitiate (CCEO c. 517 §2).

CCEO c.517 –

§1. One is admitted validly to the novitiate of an order or Congregation who has completed the seventeenth year of age. In respect to other requirements for admission to the novitiate [CCEO] cc. 448, 450, 452, and 454 shall be observed.

§2. No one is admitted lawfully to the novitiate of a religious institute of another Church *sui iuris*

without the permission of the Apostolic See, unless it is a candidate who is destined for a province or house, mentioned in [CCEO] c. 432, of the same Church.

- C. When is permission required? The permission of the Holy See to admit a postulant who is a member of an Oriental Rite to a Latin Rite novitiate is needed **ONLY** if that postulant is destined to exercise his ministry in the Latin Rite. For example, a Chaldean Rite Catholic wants to join the Congregation in a predominantly Latin Rite country and wants to minister in the normal ministry of that unit. That Candidate **WOULD NEED** permission to be admitted to the novitiate because he is not destined to minister predominantly in his own rite.

However, if that same candidate wanted to join the Congregation in a Chaldean Rite unit or country and would be sent to make his novitiate in a Latin Rite country and would be destined to return to his native unit after novitiate, he **WOULD NOT NEED** permission to be admitted to the Latin Rite novitiate.

This requirement of CCEO c. 517 directly affects the Latin Rite Code. The permission from the Holy See is required for liceity and not for validity.

- D. Procedure for requesting permission if it is needed:

- 1 The person seeking to enter the novitiate writes a letter to the major superior of the unit for which he is making the novitiate stating that he is a member of XXXXX Church (i.e. Syro-Malabar), and belongs to the Eparchy of XXXXX (name of his eparchy) and that he desires to enter the Latin Rite novitiate of XXXXX (Vice-)province (name of unit). He asks the major superior to request the necessary permission from the Holy See in accordance with CCEO c. 517 §2.
2. He submits a recently issued copy of his baptismal certificate in the Eastern Rite Church.
3. The major superior forwards to the Superior Gen-

eral the letter of petition from the candidate and the copy of his baptismal certificate together with a letter stating that he wishes to admit the petitioner to the Latin Rite novitiate and that he has obtained the consent of his ordinary council and asks that the necessary permissions be requested from the Holy See.

#### 504.2 Change of Rite: (CIC. cc. 111, 112; [CCEO cc. 32, 36])

The current practice of the Holy See for a candidate or member who wishes to change from an Oriental Rite to the Latin Rite remains that of requiring permission from the Holy See. This is done through the Procurator General and requires: a written request from the person; evidence of baptism in the Oriental Rite; consent of the Oriental bishop or patriarch of residence. Contact the Procurator General for specific details.

#### 504.3 Use of another Rite:

Permission to offer Eucharist or administer sacraments in another rite is granted by the Holy See for three or five years upon written petition of a member submitted through the Procurator General. This permission must be renewed before the current permission lapses. This too is done through the Procurator General.

Confrères should take note that since the publication of the *Motu Proprio, De Concordia inter Codices*, May 31, 2016, both codes now provide that “only a priest can validly assist in the marriage of two Oriental Catholics or between a Latin Rite Catholic with either an Oriental Rite Catholic or a non-Catholic person (CIC c. 1108, new §3; CCEO 828 §2).”

## Section 600: REQUISITES FOR ORDERS

### **601. Requisites for Sacred Orders**

#### 601.1 Requisites of Person:

The person to be ordained must:

- A. be acting freely in receiving the order (CIC c. 1026 [CCEO c. 756]);
- B. have received the sacrament of Confirmation (CIC c. 1033 [CCEO c. 758 §1, 1°]);
- C. have completed the required formation and studies (CIC cc. 1027 and 1032 [CCEO cc. 758 §1, 760]; cf. DS 601.2 below), and been instructed in the order of the priesthood and its obligations (CIC c. 1028);
- D. be perpetually professed (St. 076; cf. CIC cc. 1019 §1, 1034 §2, 1037 [CCEO c. 537 §1]);
- E. have received and exercised the ministries of lector and acolyte (CIC c. 1035 [CCEO 758 §1, 5°]) and after an interval of 6 months (CIC c. 1035 §2 [CCEO c. 758 §1, 6°]) been ordained to the diaconate (CIC c. 1050, 2° [CCEO c. 769 §1, 1°-3°]) and that at least 6 months have passed since the diaconal ordination (CIC c. 1031 §1 [CCEO c.760 §1]);
- F. have reached the requisite age (CIC c. 1031 [CCEO c.758 §1, 3°]; cf. DS 601.2 below);
- G. have, in the judgment of the (Vice-)provincial Superior, the requisite qualities of personality and character indicated in CIC c. 1029 [CCEO c. 758 §1, 2°] and be useful for the ministry of the Church (CIC c. 1025 §2 [CCEO c. 758 §2]);
- H. have made a retreat of at least five days in the place and manner determined by the (Vice-)provincial Superior (CIC c. 1039 [CCEO c. 758 °1, 2°]; St. 070; cf. DS K15); and

- J. be free of irregularities and impediments (cf. DS 603 below);
- K. obtain dimissorial letters (See DS 606.4 below).

Note: Before advancement to diaconate, the person must make a profession of faith and oath of fidelity in the presence of his major superior or his delegate (cf. DS 108. B). A transitional deacon can be refused advancement to presbyterate only for a canonical reason (CIC c. 1030 [CCEO c. 755]).

#### 601.2 Requisites of Age and Preparation (CIC cc. 1031 – 1032 [CCEO cc. 758 - 760])

Unless the conference of bishops determines an older age for presbyterate or permanent diaconate (CIC c. 1031 §3 [CCEO c.759 §1]), the following requisites for liceity hold:

##### A. Presbyterate: (c. 1031 §1 [CCEO c. 759 §1])

Completion of:

- 25 years of age and sufficient maturity (CIC c. 1031 §1);
- 24 years of age (CCEO c. 759 §1);
- curriculum of philosophy and theology (before diaconate);
- six months after ordination to diaconate, and exercise of the order of deacon for a suitable period of time (cf. DS K16).

##### B. Transitional Diaconate:

Completion of:

- 23 years of age;
- curriculum of philosophy and theology;
- six months after receiving ministries of acolyte. (CIC c. 1035 §2 [CCEO c. 758 §3])

##### C. Permanent Diaconate:

Completion of:

- 25 years of age. (CIC c 1031 §2);
- the specified time of formation. (CIC c. 1032 §3; [CCEO c. 760])
-

## **602. Dispensation from Requisites of Age and Intervals**

The Diocesan Bishop of place of residence can dispense from lack of requisite age or interval up to one year (cf. CIC c. 87 §1 [CCEO c. 1538 §1]); for a lack of more than a year, the Holy See must be approached (CIC c. 1031 §4 [CCEO c.759 °2]).

By privilege, (Vice-)provincial Superiors can dispense from all or part of the six-month interval between acolyte and diaconate or diaconate and priesthood (CP 122).

## **603. Impediments: Meaning and Kinds**

An impediment is an obstacle, whether juridical or physical in nature that prevents a person from validly or licitly receiving.

A person with an impediment may neither licitly receive a sacred order nor licitly exercise an order received, unless a dispensation has been given. Impediments can be multiplied when they arise from different causes, but not by repeated actions of the same kind, except for homicide and abortion (CIC c. 1046 [CCEO cc. 758 §2, 762]).

There are two kinds of impediments to orders (CIC c. 1040 [CCEO c. 764]):

- A. Irregularity: this is an impediment which is permanent;
- B. Simple Impediment: this is an impediment which is temporary.

Note: the way in which a petition for dispensation from impediments and irregularities is to be made and the use of a general dispensation is explained in CIC c. 1049 [CCEO c.768].

## **604. Impediments to the Reception of Orders**

604.1 Irregularities for Receiving Orders (CIC c. 1041 [CCEO c. 762 §1, 1°-6°]):

- A. Insanity or psychic illness which in the opinion of experts would impede the proper carrying out of ministry;
- B. A delict of apostasy, heresy or schism;

- C. Attempted marriage (even only civil) while bound by a previous marriage, by sacred orders, by a public perpetual vow of chastity, as well as attempted marriage to a woman who is bound by marriage or by such a vow;
  - D. Voluntary homicide, procuring of an effective abortion, or positive cooperation in either;
  - E. Attempted suicide, serious and malicious self-mutilation or such mutilation of another;
  - F. Performance of an act of episcopal or presbyteral orders while lacking that order or having been forbidden its exercise by a declared or inflicted canonical penalty.
- 604.2 Simple Impediments to Receiving Orders (CIC c. 1042 [CCEO c. 762 §1, 7°-8°]):
- A. Being wedded, unless legitimately seeking permanent diaconate (CIC c. 1042, 1°);
  - B. Holding an office or position forbidden to clerics by CIC cc. 285 and 286 [CCEO c. 762 §1, 7°] and for which he must render an account until it is resigned or the account is given;
  - C. Recent entrance into the Church, until sufficiently proven in the judgment of the ordinary (CIC c. 1042, 3° [CCEO c.762 §1, 8°]).
- 604.3 Dispensation from Irregularities to Reception of Orders:
- A. An irregularity brought to the juridical forum is dispensed by the Holy See (CIC c. 1047 §1 [CCEO c. 767 §1, 1°]);
  - B. By reason of being ordinaries (CIC c. 1047 §4) as well as by our privileges, our (Vice-)provincial Superiors can dispense from all irregularities to the reception of orders not brought to the juridical forum, including those reserved to the Holy See in CIC c. 1047 §2 except for voluntary homicide or a procured and completed abortion (DS K03; cf. CCEO cc. 767 §1, 2° and 762 §1, 2°-4°; CP 68 and 70; PYF 6-a).

- 604.4 Dispensation from Impediments to Reception of Orders:
- A. The impediment of marriage bond (cf. DS 604.2 A above) is reserved to the Holy See;
  - B. By reason of being ordinaries, (Vice-)provincial Superiors can dispense from the other impediments listed above in DS 604.2 (DS K03; CIC c. 1047 §4 [CCEO c. 767 § 1]).

## **605. Impediments to the Exercise of Orders**

- 605.1 Irregularities in the Exercise of Orders (CIC c. 1044 § 1 [CCEO c. 763]):
- A. Receiving orders while having an irregularity to their reception;
  - B. Committing a public delict of apostasy, heresy or schism;
  - C. Committing any of the delicts mentioned above in DS 604.1 C, D, E, or F.
- 605.2 Simple Impediments to the Exercise of Orders (CIC c. 1044 §2 [CCEO c. 763, 1°-3°]):
- A. Receiving orders while having a simple impediment to their reception;
  - B. Suffering from insanity or a psychic disorder as mentioned above in DS 604.1 A until the (Vice-)provincial Superior, after consulting an expert, permits the exercise of the order.
- 605.3 Dispensations from Irregularities to Exercise of Orders:
- A. Reserved to the Holy See are dispensations from these irregularities: attempted marriage in a public case (cf. DS 605.1 C and DS 604.1 C above); voluntary homicide or effective abortion and cooperation in them (cf. DS 605.1 C and DS 604.1 D above) even if not public.
  - B. (Vice-)provincial Superiors can dispense from the irregularities not reserved to the Holy See (CIC c. 1047 §4 [CCEO cc. 767 §1, 1°-2°, 762 §1 2°-4°]).

605.4 Dispensations from Simple Impediments to Exercise of Orders:

(Vice-)provincial Superiors can dispense from the simple impediments to the exercise of orders (CIC c. 1047 §4 [CCEO cc. 767 §1, 1°-2°, 762 §1 2°-4°]).

**606. Documentation**

606.1 Statement of Freedom:

The candidate for sacred orders must request his (Vice-)provincial in writing to be advanced to the order; the request must state his freedom and his intention to dedicate himself to sacred ministry for the rest of his life (CIC c. 1036 [CCEO c.761]). The candidate should use Form 04.1, or its equivalent, found in *Supplement to the Directory of Superiors* [online] Part I; Ordination, for this request.

606.2 Certificates of Sacraments and Ministries (CIC c. 1050 2°, 3° [CCEO c. 769 §1, 1°-3°]):

The candidate for diaconate must submit certificates of baptism, confirmation and ministries. The candidate for presbyterate must submit a certificate of ordination to the diaconate.

606.3 Testimonial of Rector of House of Formation:

The (Vice-)provincial Superior must obtain a testimonial from the Rector of the formation house as indicated in CIC c. 1051 §1 [CCEO c. 769 1, 4°].

606.4 Dimissorial Letters (CIC cc. 1015, 1019, 1023; [CCEO cc. 747, 537 §1,753]):

The (Vice-)provincial Superior must give his permission for the candidate to seek ordination in the form of dimissorial letters to be presented to the ordaining bishop. These must also testify to the fulfillment of all the requirements for ordination. Use Form 04.2 or its equivalent, found in *Sup-*

*plement to the Directory of Superiors* [online] Part I; Ordination.

Any bishop of the same rite in communion with the Holy See may be requested to ordain our members (CIC c. 1021 [CCEO c. 537 °2]). A bishop who performs the ordination outside his jurisdiction needs permission of the Diocesan Bishop (CIC c. 1017 [CCEO c. 749]).

606.5 Decree of Dispensation:

When a dispensation from an impediment is necessary, it should be given in writing, if this is possible without danger of scandal. A record should be preserved in the restricted (Vice-)provincial archives.

606.6 Certificate of Ordination (CIC cc. 1053 and 1054 [CCEO c. 774 §2]):

The ordaining bishop is to give the person ordained a certificate of ordination; Form 04.4 found in *Supplement to the Directory of Superiors* [online] Part I; Ordination, can be used. A copy of this certificate should be kept in the (vice-)provincial archives.

Notice should be sent to the General Government and to the parish of the person's baptism. Use DS Form 04.3 for this.

## Chapter IV. Foundations and Temporal Goods

### Section 700: COMMUNITIES, HOUSES AND RESIDENCES

#### 701. Definition

##### 701.1 Community:

A community is a group of members who, living under the authority of a legitimately designated superior, in a spirit of genuine brotherly union, combine their prayers and deliberations, their labors and sufferings, their successes and failures, and their material goods as well, for the service of the Gospel. (CC. 21, 99; CIC c. 608)

While the term "community" can refer to the Congregation as a whole and to (vice-)provinces (cf. C. 22), it is generally used to designate the smallest groupings of confrères who regularly live together.

Regarding these smallest groupings, our CC. and SS. speak of both a local community (i.e. one in which the members share a place of residence) and a personal community, that is, one in which members who by way of exception live and work alone and are attached to their unit) (C. 22; SS. 091 and 092).

##### 701.2 Canonically Erected House:

A canonically erected religious house comprises a community of at least three members (St. 091-b; cf. CIC c. 115 §2; [CCEO cc. 921, 923]) with a legitimately appointed canonical superior who must be a cleric, together with the building in which the religious live; this house is to include an oratory (CIC c. 608). It enjoys juridical personality from the law itself and, as such, is the subject of rights and obligations in ecclesiastical law (CIC cc. 113 §2; 634 §1 [CCEO cc. 920 + 423; cf. NCNR, p. 59).

##### 701.3 Constituted House (Residence):

A residence is a community or group of confrères estab-

lished by a (vice-)province, together with the place where they live. It is not a canonically recognized juridical entity. It cannot hold property in its own name. If it has its own superior, he must be a cleric and has only delegated authority, either from the (Vice-)provincial Superior or from the superior of a canonical house (cf. CP 93).

Examples of residences are: mission stations attached to a canonical house; temporary living quarters; a vacation house; a place where Redemptorists intend to stay only a short time, etc. (cf, NCNR, p. 61)

#### 701.4 Personal Community:

What is said in the CC. and SS. about local communities and local superiors pertains, with due adjustment, to personal communities and their superiors. A personal community does not have a canonically recognized juridic personality. It cannot hold property in its own name. If it has its own superior, he has only delegated authority, either from the (Vice-)provincial Superior or from the superior of a canonical house.

Personal communities are recommended where it is impossible or difficult to establish houses or residences. It is recommended that they have their center or seat in either a canonical house or a residence (St. 091-a). Their members should have enough regular contact to be seen as a "community" with the characteristics of Chapter II of the CC.

### **702. Establishment**

#### 702.1 Canonically Erected House

A canonical house is erected by the Superior General with the consent of the General Council (DS D13). The consent of the Diocesan Bishop must first be obtained in writing (CIC c. 609 §1 [CCEO c. 509 §1]). He must also give consent if a house (or a residence) is converted to apostolic works different from those for which it was established

(CIC c. 612 [CCEO cc. 509 §1 + 437 §2]). Use DS Form 05.1 (and DS Form 05.2) found in *Supplement to the Directory of Superiors* [online] Part I; Erection of a House.

for requesting the erection of a house.

If the house is to be part of a (vice-)province, there must be a petition from the (Vice-)provincial Superior with the consent of his extraordinary council (DS P07). Use DS Form 05.3.

In the case of a vice-province, the provisions of its agreement with the province regarding the erection of a new house should be followed (DS P07).

## 702.2 Residence

A residence is established by the (Vice-)provincial Superior with the consent of his extraordinary council (DS P06). There is no longer an explicit requirement in the Code of Canon Law for the consent of the Diocesan Bishop for a residence; however, out of respect for his office, we should inform him of the residence.

If the community is to be engaged in apostolic work, it is clear that the Diocesan Bishop has a right to know of its presence, be consulted about its work and supervise its pastoral activities (CIC c. 678 §1 and §3 [CCEO c. 415 §§ 1 and 3]; cf. CP 93).

When the community is established, the General Government should be sent the information indicated in Form 07 found in *Supplement to the Directory of Superiors* [online] Part I; Governance. (cf. DS 406).

## 702.3 A Community (house or residence) in the territory of another (vice-)province.

If a community (house or residence) of a (vice-)province is to be in the territory of another (vice-)province, its establishment must be approved by the Superior General with the consent of the General Council (DS D15; St. 0186).

The Provincial Superior of the province where the house is to be located, with the consent of his extraordinary council, must first give his permission for the foundation (DS H02; St. 0186). Both of these approvals must be obtained in writing before the permission of the local bishop or ecclesiastical authority is sought. The conditions governing the erection of such a house or residence, as well as the responsibilities of the members attached to the house or residence, must be stated in a written contract signed by the major superiors of both units.

#### 702.4 Personal Community

The establishment of a personal community is done by the (Vice-)provincial Superior with the consent of his extraordinary council (DS P06). The superior of the community should be given clearly defined delegated authority (cf. DS 701.4 above). What is said about apostolic work in DS 702.2 above applies here also.

#### 702.5 Members undertaking ministry outside their unit of origin.

In addition to the requirements of GS0188, a confrère (or confrères) who works, or a superior who intends to send a confrère to work, continually for 12 months or more, in the territory of another unit, does so according to a contract signed by the superior of the unit of origin and the superior of the unit where he exercises his ministry. (25<sup>th</sup> General Chapter, Decision 41) (Cf. *Supplement to the Directory of Superiors* [online] Part II; Contracts).

### 703. Conditions

#### 703.1 Canonically Erected House:

- A. A canonically erected house must have at least three members (cf. CIC c. 115 §2 [CCEO c. 923]); and it must be foreseen that this number can be maintained (St. 091-b).
- B. Its place of residence need not be owned by the Congregation; it may be rented, under agreement with the

diocese, etc. The location may be changed within the same city without need to approach the Superior General, but with the permission of the Diocesan Bishop if the community is engaged in apostolic work (cf. NCNR, p. 59; CIC cc. 612 and 678 [CCEO cc. 509, 437, 415]).

- C. A house must have its own duly designated canonical superior who must be a cleric (CIC c. 608).
- D. When a house is being erected, there must be prudent provision for the continued maintenance of its members (CIC c. 610 §2).
- E. Since the Congregation enjoys the autonomy indicated in CIC cc. 586 and 593 [CCEO c. 413], its houses enjoy the same autonomy and their legitimate erection brings with it the rights indicated in CIC c. 611 [CCEO cc. 437 §1; 509 §2].
- F. The permission of the Diocesan Bishop is required in order to change the religious house to apostolic works other than those for which it was established. (CIC c. 612 [CCEO cc. 437 §3, 509 §2])
- G. The house is to have an oratory (CIC c. 608).
- H. A house remains in existence until suppressed or until it has ceased to function for 100 years (CIC c. 120 [CCEO c. 927 §§ 1-2]).

#### 703.2 Residence:

- A. A residence should have at least two members (CP 93).
- B. A residence may have a delegated superior. The terms of the delegation must be clearly defined in each case (cf. DS 701.3 above).
- C. By privilege, our residences enjoy autonomy in the same way as our canonical houses (cf. DS 703.1 E above). If one of its members is a presbyter, the residence may have an oratory with reservation of the

Blessed Sacrament (CP 94).

#### **704. Suppression**

The procedures for the suppression of a canonical house are similar to those required for its erection (cf. DS 702.1 above), except that only the advice of the Diocesan Bishop is required, not his consent (DS P09. cf. CIC c.616 §1; CCEO c. 510). Use Forms 06.1, 06.2 and 06.3 found in *Supplement to the Directory of Superiors* [online] Part I; Suppression of a House.

to request the suppression of a house.

A residence or a personal community is suppressed by the same authority which established it (cf. DS 702.2 and DS 702.3 above and DS P08). Notice of the suppression should be sent to the General Government using Form 07 (cf. DS 406) found in *Supplement to the Directory of Superiors* [online] Part I; Governance.

Conditions may sometimes suggest that a canonical house should not be actively maintained (e.g. lack of personnel for the house, changed conditions of the apostolate), and yet it does not seem wise to suppress the house (e.g. sufficient personnel might be available in a few years). It is possible to allow the house to become dormant. In this case, the (Vice-)provincial Superior himself or a delegated administrator would take over the administration of the goods of the house (cf. DS P18).

#### **705. Enclosure (Cloister)**

Enclosure means that some part of the religious house is reserved to the members alone. i.e. all outsiders (of either sex) are excluded as a rule from that part of the house.

Our Congregation follows the universal law in this (CIC c. 667 §1 [CCEO c. 541]).

The enclosure is determined by the (Vice-)provincial Superior (DS K09), who should consult the community in the

matter. He can also dispense from it, and can delegate the same faculty to others.

There is no penalty in universal or Redemptorist law for non-observance of the enclosure.

## Section 800: PARISHES

### **801. Acceptance**

#### 801.1 Competent Authority:

The (Vice-)provincial Superior with the consent of his extraordinary council may accept the care of a parish from the Diocesan Bishop (DS P04). The parish may be erected in one of our own churches, if this seems suitable (CIC c. 520 §1 [CCEO c. 282]).

#### 801.2 Procedure:

A written agreement should be made between the Diocesan Bishop and the (Vice-)provincial Superior. "Among other matters this agreement is expressly and carefully to determine the work to be done, the persons to be attached to the parish and the financial arrangements" (CIC c. 520 §2 [CCEO c. 282 §2]).

Many dioceses, countries or episcopal conferences have established a model form for these agreements. If there is no established diocesan formula, a sample formula is given in the *Supplement to the Directory of Superiors* [online] Part II, Contracts, A, which indicates the points which should be considered in writing the contract.

### **802. Timeframe**

A parish may be assigned to the care of a religious congregation permanently or for a definite period of time. This point should be explicitly stated in the agreement (CIC c. 520 §2 [CCEO c. 282 §2]). It is preferable to accept parishes with some type of time limit (cf. CC. 15 and 67).

### **803. Pastor (Parish Priest)**

#### **803.1 Requirement:**

One presbyter is to be named pastor of the parish; or if the parish is to be served by a pastoral team, one presbyter is to be named the moderator of the team. The moderator is to direct the team's activities and answer to the Diocesan Bishop (CIC c. 517 §1, 520 §2 [CCEO cc. 287 §2, 282]).

#### **803.2 Designation:**

The pastor is named for an indefinite period of time unless the episcopal conference permits limited periods of service (CIC c. 522 [CCEO c. 284 §3, 4°]). The Diocesan Bishop appoints the Religious to the office after presentation by or at least the assent of the competent superior (CIC c. 682 [CCEO c. 284 §2]; DS 106).

#### **803.3 Removal from a Diocesan Ecclesiastical Office**

A Redemptorist may be removed from the office entrusted to him either at the discretion of the authority which entrusted it, after having notified the religious major superior, or at the discretion of the major superior, having notified the authority; and neither requires the consent of the other (cf. CIC c. 682 §2 [CCEO c. 1391 §2]).

### **804. Other Pastoral Offices outside the Congregation Cf. DS 106; CIC c. 682, §1 or CCEO c, 1391, §1.**

## Section 900: TEMPORAL GOODS

### **901. Administration of Temporal Goods**

#### 901.1 Meaning:

Administration covers all acts which flow from a legal right over any material goods that belong to a public juridical person (CIC c. 1279 [cf. CCEO c. 1023]).

#### 901.2 Types:

- A. Ordinary administration covers those acts which are necessary or useful to conserve or increase these goods, as well as to receive, invest or allocate their regular returns and revenues (e.g. the regular purchases for the life of the community; distribution of interest from investments according to the province's budget, etc.).
- B. Extraordinary administration covers those acts which exceed ordinary administration, such as making substantial changes in the goods, beginning new construction exceeding the limits of permitted expenditure, entering a lawsuit, etc. (CIC c. 1281 [CCEO c. 1024 §2]).
- C. Alienation of Stable Patrimonial Goods
- D. Transactions which can worsen the Patrimonial condition of the entity.
- E. Leasing Stable Patrimony

#### 901.3 Norms for Extraordinary Administration:

The distinction between acts of ordinary and acts of extraordinary administration may be based on a number of different factors, for example, acceptance of onerous gifts or bequests, buying new properties, major alterations of buildings, etc. Or, it may be based on a monetary amount which is below that set for application of the norms on alienation. So that doubt may be eliminated as to what constitutes an act of extraordinary administration, it belongs to

the (vice-)province to determine what constitutes these transactions.

- A. It is for the (vice-)provincial chapter to determine what acts are to be considered extraordinary administration and any conditions which must obtain for the validity of these acts (St. 0193-c, + CIC c. 638 §1).
- B. Subject to the provisions of (vice-)provincial norms mentioned in A., an administrator acts invalidly if he performs an act on his own which goes beyond the limits and procedures of ordinary administration without the written permission of the (Vice-)provincial Superior (CIC cc. 638 §§1-3, 1281 §1 [CCEO c. 1024 §2]).

## **902. Administrators**

### **902.1 In general:**

Anyone who has responsibility by reason of office or delegation for the administration of temporal goods is referred to as an administrator (cf. CIC cc. 638, 1282 [CCEO c. 1024]).

### **902.2 Superiors:**

The Superior General, (Vice-)provincial Superiors, regional superiors and the superiors of communities, each with the involvement of their respective councils, are responsible according to the norm of law for the administration of the temporal goods of the Congregation which are under their jurisdiction. (CIC c. 1279 §1; [CCEO c. 1023]).

### **902.3 Treasurers:**

According to CIC c. 636 [CCEO c. 516] each unit of the Congregation which is governed by a major superior (General Government, provinces, vice-provinces) must have a finance officer (i.e. treasurer) distinct from the major superior who is to manage the administration of the temporal goods under the direction of the respective superior. (St. 0190)

Note that he is to administer these goods "under the direction of the respective superior" (St. 0190). Thus, while the superior directs, supervises and can perform administrative acts, it is the treasurer who performs the ordinary administration of the goods (cf. CIC c. 638 §2).

CIC Canon 636, §1 also requires that "to the extent possible", this also be the norm in the local communities.

Our own law (St. 0112) echoes the requirement that the treasurer be distinct from the superior, adding that the treasurer is to be properly trained. It also notes that he may not dispose of goods on his own authority.

CIC Canons 1281 - 1284 [CCEO cc. 1024-1026, 1028] outline the responsibilities of the financial administrator, and the limits of his authority. He is to have a finance council, or at least two advisors (CIC c. 1280); in our law this function is usually fulfilled by a secretariat for finance (SS. 0114, 0131, 0173, 0174-a, 0189).

SUMMARY: At the (vice-)provincial level, the treasurer must be distinct from the major superior and his vicar. This principle, as far as possible, should be extended to the level of the local community.

Note: the title of this officer in the Latin text of the Code and of our CC. is "oeconomus"; in English translations he is called "finance officer" (in the Code) or "treasurer" (in our CC. and SS.). According to the usage in different locations, however, formerly he was often referred to as "bursar", "econome", "minister", or "procurator".

Please note that the procurator general, however, is a different officer with responsibilities different from the treasurer general (cf. C. 120; SS. 0128, 0130).

#### 902.4 Treasurer General:

Cf. SS. 0130, 0191-b.

#### 902.5 Intervention by a Higher Superior:

Major superiors have the right to intervene, that is, make

decisions about the administration of material goods which are under the authority of superiors subject to them, if there is negligence or the common good demands it (CIC c. 1279 §1; [CCEO c.1023]; DS P19; SS. 0100, 0190). The (Vice-)provincial Superior needs the consent of his ordinary council to assume (take over) the administration of the goods of a community (DS M03). He needs the consent of his extraordinary council in order to intervene in the administration of the goods of a community according to the norm of St. 0190 (DS P.19).

### **903. Budgets and Reports**

#### 903.1 General Finances:

Cf. St. 0130; DS D36.

#### 903.2 (Vice-)provincial Finances:

At least once a year, the (vice-)provincial treasurer is to present for approval to the (Vice-)provincial Superior and his extraordinary council a budget and financial statement for the (vice-)province as a whole and for each community (SS. 0173, 0174-a). He prepares the financial report to be submitted to the General Government (St. 0174-b). As required by Decision 48 of the 25<sup>th</sup> General Chapter of 2016, the treasurer will ensure that an independent internal audit will be conducted each year. (cf. Manual for Administration and Financial Affairs) He may also be requested to give additional reports (St. 0174-a).

The (vice-)provincial chapter has the right to examine and approve the reports on the financial administration of the (vice-)province (St. 0140-e; cf. SS. 0113, 0192, 0197).

The (Vice-)provincial Superior, with the consent of his extraordinary council, has the right to approve the budget and financial statements of the (vice-)province and its communities (DS P17).

The Provincial Superior, with the consent of his extraordinary council, has the right to inspect and approve the an-

nual budget of the vice-provinces under his authority, and to approve their financial reports before they are submitted to the General Government (SS. 0195, 0174-b; DS H04).

The form for the annual financial report of the (vice-) provinces to the General Government is found in the Manual for Administration and Financial Affairs.

### 903.3 Local Community Finances:

The treasurer of the local community will prepare the budget and financial statement of the community. These are to be approved and submitted to the (Vice-)provincial Superior in accord with the determinations of the (vice-) provincial statutes (St. 0197; cf. St. 0113).

## **904. Expenditures**

### 904.1 Types:

Expenditures are:

- A. ordinary, when they fall under ordinary administration; these consist in the expenses that are foreseen to regularly occur in the life of a community or of the members which do not require the permission of a higher authority: e.g. monthly for food, maintenance of buildings, etc.
- B. extraordinary, when they fall under extraordinary administration; these consist of unusual expenditures which require the permission of a higher authority (e.g. renovating a part of a building) or involve a considerable amount of money (e.g. buying property).

### 904.2 Determination:

The General Council acting collegially determines the limits within which the Superior General can make expenditures (DS E29).

The (vice-)provincial chapter is to determine the limits within which different superiors, with or without their various councils, can incur expenses (St. 0193-a). Note, however:

- A. The limits set for maximum expenses by the various superiors with their councils must be approved by the Superior General with the consent of his council (DS D41).
- B. The chapter can decree that these limits are to be set by the (vice-)province's extraordinary council (with the requisite approval of the General Government).
- C. If the incurring of expenses "worsens the patrimonial situation" of the house or (vice-)province, the provisions for alienation are followed (cf. DS 906 below).
- D. Ordinary expenses (e.g. those contained in the annual budget of a (vice-)province or community) should be carefully distinguished from extraordinary expenses when limits are set, so as not to hamper the smooth operation of the institution.
- E. Incurring expenses always requires the act of a superior, even if he must seek the advice or consent of his council; they cannot be incurred by a council acting without the superior St. 0193; CIC c. 638 §3).

### **905. Investments**

Money is invested when it is changed into some other goods which will preserve its value or which bring returns, e.g. property, stocks and bonds, etc.

The (vice-)provincial chapter and councils can lay down norms regarding investments (St. 0194).

### **906. Alienation of Goods and risky transactions**

A. Alienation is a technical canonical term which means any transaction in which the ownership of a good or goods is transferred to another. Normally this is done through either a sale or gift.

B. There are other transactions which, although they are not technically alienations, are treated as though they were alienations and the same laws apply to them as well.

These are transactions which may worsen the patrimonial condition of the juridical person. In other words, they pose a risk to the stable patrimony of the entity. Examples of these are loans with the property as collateral, leasing the property, mortgages, etc. These transactions are commonly referred to as “1295 Transactions” because CIC c. 1295 [CCEO c.1042] applies the norms of true alienations to these ‘risky’ transactions.

There are specific laws which govern alienation of goods in the Church and “1295 transactions”:

1. Proper laws determined by the (vice-)provincial chapter and approved by the Superior General with the consent of his council, which set limits on the amount that various superiors may alienate with the consent of their respective councils.
2. Universal laws set by the Holy See that determine the amount over which any alienation needs the approval of the Holy See in order to be effected and establish requirements for obtaining this approval. (CIC c. 1292, §2 [CCEO c. 1036 §4])

#### 906.1 What is the Stable Patrimony of a Juridical Person?

Stable patrimony includes all property, real or personal, movable or immovable, tangible or intangible by legitimate designation, which is destined to remain in the possession of its owner for a long or indefinite time to afford financial security for the future.

Liquid assets like cash, although usually considered free capital, may, by explicit designation, be restricted for a specific purpose such as formation or a building fund. These could become part of the stable patrimony. The competent authority can reserve the right to ‘un-restrict’ the funds at any time in the future. This must be done explicitly.

#### 906.2 Norms:

In general, the norms of CIC cc. 1291-1298 [CCEO cc.

1035, 1036, 1038, 1040, 1042] apply to alienations made by the Congregation and its units.

- A. The (vice-)provincial chapter is to determine the limits within which alienations can be effected by the (vice-) provincial or local superiors, with the consent of their respective councils (St. 0193-a; +CIC c. 638 §3; cf. DS M18, DS P20). This determination must be approved by the Superior General with the consent of his council (+ St. 0192, DS D41).
- B. The maximum amount for alienations within various regions beyond which recourse to the Holy See is required is established by the Holy See. Before the request for these alienations is presented to the Holy See, the approval of the Superior General with the consent of his council is required (DS D40 and DS D42). See E below; the current list of maximum amounts set by the Holy See, will be published regularly in OFFICIALIA.
- C. Goods of Artistic or Historical Value and Votive Offerings: Goods which have a special value due to their artistic quality or to their history require special permission of the Holy See, regardless of their cash value. The same is true for votive offerings (i.e. donations made in consequence of a vow) (CIC c. 1292 §2 [CCEO c.1036 §4]). The petition for this alienation requires the approval of the Superior General with the consent of his council (DS D42).
- D. Relics and Images:  
Relics may never be sold (CIC c. 1190 §1 [CCEO c. 888]). The same requirements mentioned in C. above, apply to the alienation of relics or images which are subject to great popular veneration. (CIC c. 1190 §2 and §3 [CCEO c. 887]).
- E. Required documents for ALIENATIONS FOR LATIN RIGHT JURISDICTIONS to be sent to the Superior General for goods valued over the limit set by proper

law or by the Holy See:

1. A letter from the major superior to the Superior General asking for permission to alienate the temporal good. The letter should indicate his approval and that of the competent body (ordinary or extraordinary council), the serious reason for the alienation, location of the property, sale price and the terms of the sale and what is to be done with the revenue.
  2. A document attesting the approval of the unit's council and/or chapter. This can be a copy of the pertinent section of the *Acta* of the meeting where it was voted on to approve the sale. This extract of the *Acta* should be dated, signed and sealed by the secretary of the unit. There should be a statement from the notary (unit secretary) attesting that it is a true and accurate extract of the minutes of the meeting of the [name of pertinent body] held on [give the date].
  3. A letter from the bishop with his *votum* regarding the sale. The superior must inform the bishop of the diocese where the property is located of the appropriate details of the sale and ask the bishop for a letter stating his 'votum' (opinion) regarding the alienation.
  4. At least one professional estimate of the value of the property. This must be by an 'expert' in the field, such as an architect, a real estate agent, etc. Although it is not required, the CICLSAL prefers if there is a statement given that the 'expert' under oath swears that the estimate given is true and correct.
- F. Instructions and required documents for ALIENATION FOR ORIENTAL RIGHT JURISDICTIONS
1. A letter from the major superior addressed to the relevant Apostolic Nuncio indicating a desire to alienate the property and seeking permission to effect the sale. This letter **MUST** include:

- a. A detailed full description of the property such as size, area, location, a description of any structures on the property, etc.
  - b. The sale price of the property, terms of the sale and what is to be done with the revenue.
  - c. The reasons and motivations for the sale of the property.
  - d. A CLEAR statement of who is to purchase the property.
2. The letter in #1 must be sent to the Superior General BEFORE it is submitted to the Apostolic Nuncio.
  3. A letter to the Superior General asking for the necessary permissions for the sale. This should be sent together with the letter in #1 to the Superior General. When, and if, the Superior General gives his permission a rescript granting permission for the sale will be issued.
  4. The letter of petition to the Superior General and his response, and the rescript if permission was given, are then submitted to the Apostolic Nuncio with the letter of petition mentioned in #1.
  5. The Apostolic Nuncio will consider the petition, issue his opinion on the matter and forward the case to the Congregation for Oriental Churches. The appropriate authorities of the Vatican Congregation will consider all the facts and respond to the Apostolic Nuncio who will then advise you of the outcome.

## **907. Debts or Loans**

### 907.1 Meaning:

A debt is incurred when money is received from another with the obligation of it being repaid, usually with interest.

A loan is a sum of money given to another under the condition of it being repaid, possibly with interest.

### 907.2 Norms:

- A. A debt should not be incurred unless it is certain that its

interest can be paid from ordinary income, and that the capital can be paid back through legitimate amortization within a reasonable period of time (CIC c. 639 §5, [CCEO cc. 529 §5 + 468 §2]).

- B. If the patrimonial goods of the Congregation are involved (e.g. as collateral, or are in some other way obligated), these are considered to be 'risky' transactions and so the prescriptions on alienations apply (cf. DS 906.2 A and B).
- C. (Vice-)provincial chapters should set the maximum limits up to which superiors with their councils can incur debts or make loans; these limits must be approved by the General Government; councils acting collegially may not incur debts (St. 0193-a)

907.3 Required documents for obtaining permission to incur debts or make loans which exceed the limits legitimately set for superiors.

The petition must include:

- a. A letter from the competent superior requesting permission to incur the debt and explaining the circumstances which are bringing about the necessity for the debt.
- b. A statement of the agreement of the competent major superior and his council and the opinion of the unit treasurer.
- c. The total amount of the debt to be incurred.
- d. From whom the money will be borrowed.
- e. The annual interest rate to be paid.
- f. The time during which the debt is to be repaid.
- g. Any other onerous conditions involved (e.g. collateral, second signatures, etc.)
- h. How the money to repay the debt will be obtained,

and the level of certainty that it can be repaid within the time allowed.

Finally, include a list of all other debts which the juridical person now owes, with the same information as above about each.

## **908 Leases**

908.1 Meaning: a contract by which one conveys real estate, equipment, or facilities for a specified term and for a specified rent.

908.2 Norms: Leases, because they are considered to be transactions that may worsen the patrimonial condition of the entity, follow the same norms as those for alienations.

908.3 Vatican permission is required if the value of the property or goods being leased exceeds the maximum value allowed by the Holy See AND the lease is for longer than 9 years. Both these conditions must exist in order for the permission of the Holy See to be required.

908.4 General Government permission is required if the financial limit exceeds the approved financial limit set by our proper law.

908.5 Required documents to be sent to the Superior General to request permission to enter into a lease agreement:

1. Letter from the major superior to the Superior General stating the:
  - a. Reasons for making the lease
  - b. Length of the lease
  - c. Value of the land, location, size, etc.
  - d. Request for permission to enter into the lease agreement.
2. A detailed summary of the lease agreement (or a copy of the lease agreement itself).
3. A statement by the major superior that this has the

consent of his council or the chapter. (An extract of the meeting/session [OPC or chapter] where the issue was voted on and approved is very helpful. This extract should be signed by the secretary of the province and should indicate the date the meeting / session was held).

4. At least one professional estimate of the value of the property. This must be by an 'expert' in the field, such as an architect, a real estate agent, etc. Although it is not required, the Congregation for Institutes of Consecrated Life and Apostolic Life prefers if there is a statement given that the 'expert' swears under oath that the estimate given is true and correct.

#### **909. Donations or Gifts**

Religious institutes are urged by the Latin Code to "contribute what they can of their own goods for the needs of the Church and the sustenance of the poor" (CIC c. 640; cf. St. 0198).

When the donation is made from patrimonial goods, the same norms apply as for any alienation (cf. DS 906.4 A and B).

Donations from what are not patrimonial goods may be made by administrators within the limits of ordinary administration (CIC c. 1285 [CCEO c. 1029]; cf. St. 0198).

A member of the Congregation may not on his own refuse a donation which is offered to him, not for himself personally, but for the Congregation; nor may he refuse a donation which is offered to him in so far as he is a member of the Congregation. To do so, he must receive permission from the (Vice-)provincial Superior with the consent of his ordinary council (DS MI9). Of course, this refers to offerings of a value which merit the time and inconvenience of seeking the permission.

## **910. Contracts**

The responsibility for contracts made by members and in the name of juridic persons is outlined in CIC c. 639 §§1 – 4 [CCEO c. 529 §5]:

1. If a juridic person has contracted debts and obligations even with the permission of the superiors, it is bound to answer for them. 2. If a member has entered into a contract concerning his or her own goods with the permission of the superior, the member must answer for it, but if the business of the institute was conducted by mandate of the superior, the institute must answer. 3. If a religious has entered into a contract without any permission of superiors, he or she must answer, but not the juridic person. 4. It is a fixed rule, however, that an action can always be brought against one who has profited from the contract entered into.

## **911. Lawsuits**

Civil lawsuits may not be initiated without the written permission of the person's ordinary, i.e. vice-provincial, provincial or general superior. cf. CIC c. 1288 [CCEO c.1032].

## **912. Extraordinary Expenses**

912.1 Meaning: Extraordinary expenses are those that are executed as Extraordinary Acts of Administration. CIC canons 1281, 638 §1 [CCEO c. 1024] and St 0193 mandate that each juridic person (unit) should establish the monetary limit beyond which a financial transaction will be considered an Extraordinary Act of Administration. These limits are approved by the General Government. Any expense which exceeds the approved limit requires permission from the General Government as an Extraordinary Expenditure. If the expense is being financed by encumbering any stable patrimony, and the value of the property encumbered exceeds the maximum established by the Holy See, then

the permission from the Holy See is also required.

912.2 Required documents to be sent to the Superior General to request permission to transact an Extraordinary Expense:

- a. A letter from the competent superior requesting permission to incur the debt and explaining the circumstances which are bringing about the necessity for the debt.
- b. A statement of the agreement of the competent major superior and his council and the opinion of the unit treasurer.
- c. The total of the expenses to be incurred.
- d. The purpose for which the expenses are being made.
- e. The source(s) from which these expenses will be paid.
- f. The period of time over which the expenses will be incurred.
- g. The level of certainty that the expenses can be met from the source(s) indicated.

**913. Recourse to a Higher Superior**

Recourse to a higher superior against the decision of a superior or against the majority vote of a council has a suspensive effect if it pertains to incurring debts or effecting an alienation (cf. C. 101).



## **Chapter V.**

### **Admission to and Association with the Congregation**

#### Section 1000: NOVITIATE

In relation to formation of candidates in the Congregation, units are to be guided by the Decree of the General Government 0000 117/2015 (DS Document 4)

#### **1001. Terminology**

##### 1001.1 Novitiate:

"Novitiate" refers to a period of probation and preparation for admission to profession in a religious institute (cf. CIC c. 646 [CCEO c. 517]).

##### 1001.2 Novitiate House:

This refers to the canonical house of a religious institute which FOR VALIDITY is duly designated with a decree by the Superior General with the consent of his council as the place where the novitiate may be made (cf. DS 1003.2 below).

##### 1001.3 Novitiate Community:

The group of novices with the Master of Novices and other assigned members are to constitute a special community (cf. CIC c 648 §1 [CCEO c. 522]) which resides in a designated house. There may be another community within the same house and under the same local superior; in this case the (Vice-)provincial Superior of the territory where the novitiate is located, after consultation with the Novitiate Board, is to establish the type of interaction between the two communities (DS K12); and, after hearing his ordinary council, he is to determine the relationship of the novice community and the novice master to the authority of the local superior (DS L11).

##### 1001.4 Interprovincial Novitiate

Ordinarily all novitiates of the Congregation will be inter-

provincial novitiates governed by a Novitiate Board. [cf. CG 0000 117/2015] DS Document 4)

## **1002. Competent Authority**

In the case of interprovincial novitiates the competent authority for admission to the novitiate is the Interprovincial Novitiate Board, in accord with the by-laws or statutes of this board. However, before presenting candidates to the Novitiate Board, the (Vice-)provincial Superior must ensure the consent of his appropriate council.

In cases where by exception (vice-)provinces have their own novitiate [with the permission of the General Government], the (vice-)provincial, with the consent of his ordinary council admits candidates to the novitiate (CIC c. 641 [CCEO c. 519]; DS M05).

## **1003. Place**

### **1003.1 Novitiate Community:**

FOR VALIDITY, the novitiate must include twelve months spent within the novitiate community (CIC c. 648 §1 [CCEO c. 523 §1]).

### **1003.2 Novitiate House:**

The novitiate must be made in a canonically erected house (not a residence. See DS 701.2) of the Congregation properly designated by the competent major superior (CIC c. 647 §2 and §3 [CCEO c.522]).

A novitiate house, where any properly approved candidate may make his novitiate, must be erected by a written decree of the Superior General with the consent of his council. The transfer of a novitiate house, or its suppression, also belongs to the Superior General with the consent of his council (DS D19; CIC c. 647 §1 [CCEO c. 521]).

### **1003.3 Exceptions to the norms in 1003.2:**

#### **A. Exceptional Cases**

The Superior General with the consent of his council can allow in exceptional cases that an individual candidate make the novitiate outside the novitiate house and the novice community under the direction of a Redemptorist who is approved to act as his director (DS D21). This must be done, however, in another house or residence of the Congregation (CICLSAL 09.09.1989; AG 475/88).

B. Temporary alternate location:

The (Vice-)provincial Superior, after hearing his ordinary council, can permit a group of novices to live for a specified period of time in another house or residence of the Congregation which he designates (DS L07; CICLSAL 09.09.1989; AG 475/88).

**1004. Period of Novitiate**

1004.1 Beginning of Novitiate:

A. The (Vice-)provincial Superior of the territory in which a novitiate is located must officially indicate in writing the precise date of the first day of the novitiate for each novice or group of novices (DS K11). This is needed to avoid any question of the validity or liceity of a person's novitiate. This date together with the names of the novices beginning novitiate should be sent to the General Government using Form 09 found in *Supplement to the Directory of Superiors* [online] Part I; Novitiate.

B. A retreat of at least eight full days must be made prior to or at the beginning of the novitiate (St. 070).

1004.2 Duration of the Novitiate:

A. FOR VALIDITY, twelve complete months must be spent in the novitiate community within an approved house (CIC c. 648 §1 [CCEO 457, 523]; C. 86-2<sup>o</sup>). The exceptions mentioned in DS 1003.3 are equivalent to time spent in the novitiate house.

B. The (vice-)provincial statutes may require a longer novitiate, up to a maximum of two years (CIC c. 648 §3).

However, if the novitiate is established as a longer program, the novice(s) MUST spend twelve months, whether continuously or intermittently, within the approved novitiate community in order to fulfill the requirement of CIC c. 648 §1 [CCEO 457, 523].

- C. The (Vice-)provincial Superior of a particular novice may permit first profession to be anticipated, but not by more than fifteen days (CIC c. 649 §2; DS K13).
- D. With the consent of the ordinary council, the (Vice-)provincial Superior of a particular novice can prolong his novitiate, but not by more than six months (CIC c. 653 §2; DS M07).

#### 1004.3 Absences from Novitiate:

##### A. Computation:

Both continuous days (e.g. from Monday to Friday) and separate days (e.g. Sunday, and Wednesday, and Friday) away from the novitiate community are counted. Continuous time is counted according to CIC cc. 201–203 [CCEO cc. 1544-1545]; separate days are added together. A day is a continuous period of 24 hours, starting at midnight (CIC c. 202 §1 [CCEO c. 1545]).

##### B. Requiring repetition of entire novitiate:

THE NOVITIATE IS INVALID if the novice is absent for more than three months either continuous or interrupted and must be repeated in whole (CIC c. 649 §1 [CCEO c. 523 §1]). A sanation may be petitioned from the Holy See in an attempt to avoid having the novice repeat the entire novitiate. The exceptions mentioned in DS 1003.3 are equivalent to time spent in the novitiate house and are not considered absences.

##### C. Requiring the absent time be made up:

If more than fifteen days (but not more than three months) of absence are accumulated, the days missed must be made up by being added at the end, before the

novitiate is considered complete and profession may be made (CIC c. 649 §1 [CCEO c. 523 §1]). Only the days after the fifteenth day of absence need be made up.

#### 1004.4 Apostolic Experience:

The program of formation may permit the novices to spend time outside the novitiate community and novitiate house for apostolic experience without this being considered an interruption of the novitiate (DS L08). However, the time thus spent must be added to the twelve months which the novice must spend within the designated novitiate community required by canon law (CIC c. 648 §2; St. 069).

#### 1005. Program of Novitiate (Ratio Novitiatius)

The program of the novitiate, prepared and agreed by the Novitiate Board, is to be submitted by the (Vice-)provincial Superior of the territory where the novitiate is located to the General Government for approval. (DS D20, DS P15). The program of the novitiate should be guided by the Ratio Formationis (2003) of the Congregation.

If they are not included in this program, it is for the Novitiate Board to determine studies that are to be undertaken during the time of novitiate (DS P16). The "limits of common law" mentioned in St. 066 refer to CIC c. 652 §5 ("the novices are not to be occupied with studies and duties which do not directly serve this [novitiate] formation") [cf. CCEO c. 523 §1]. The M.P. of Paul VI, *Renovationis Causam*, 1969, n. 29, can be used as a guideline for interpreting this.

#### 1006. Documentation

For the entrance of a candidate into the novitiate, the following documents must be obtained:

##### 1006.1 From the Candidate himself:

- A. Proof of baptism, confirmation and free (i.e. unmarried) status are required by CIC c. 645 §1 [CCEO c. 519]. Candidates who have previously been mar-

ried must present evidence of an annulment or dissolution of the marriage or of the death of the wife.

- B. Those who have been members of another religious institute should present evidence of legitimately leaving the institute. Those who are secular clerics must present a written opinion of their proper ordinary (CIC c. 644 [CCEO c. 452 §1]).

This documentation should be preserved in the archives.

#### 1006.2 From Others:

- A. Testimony should be sought from suitable persons to obtain the information required by St. 051 (cf. CIC c. 645 §3).
- B. For certain candidates, CIC c. 645 §2 requires the testimony of particular officials:
  - for a secular cleric: his Diocesan Bishop;
  - for one who attended a major diocesan seminary: the rector of the seminary;
  - for one who is or was a member of a religious institute or a society of apostolic life: his major superior.
- C. The superiors have the right to seek other information, even secret information, which may seem necessary (CIC c. 645 §4).

### **1007. Impediments to Admission to the Novitiate:**

#### 1007.1 To validity:

According to CIC c. 643 §1 [CCEO c. 450, 1°-7°], the following cannot validly enter novitiate.

- A. One who has not completed his seventeenth year of age;
- B. One who is married, while the marriage continues to exist;

- C. One who is bound to an institute of consecrated life or is a member of a society of apostolic life (unless involved in a process of transfer from another religious institute; cf. CIC c. 684);
- D. One who enters through force, fear or fraud or whom the superior accepts under the same influences;
- E. One who conceals his incorporation in another institute of consecrated life or society of apostolic life.

#### 1007.2 To liceity:

- A. According to CIC c. 644 [CCEO c. 452], the following should not be accepted into the novitiate.
  - I. Secular clerics without consulting their proper ordinary.
  - II. Those burdened by debts they cannot pay.
- B. Our Redemptorist general law does not add any further impediments (cf. CIC c. 643 §2 [CCEO c. 450]).

#### 1007.3 Dispensation:

Dispensation from any of the impediments above must be obtained from the Holy See. They should be sought through the procurator general (St. 0129).

### **1008. Other Matters**

#### 1008.1 Changes within the Congregation:

A novitiate made as a brother is valid for a student for sacred orders, and vice versa. The (Vice-)provincial Superior, with the consent of his ordinary council, may at any time permit a person who was professed as a brother to become a clerical student, and vice versa (St. 065; DS M13). No member may be compelled to transfer from one category to another. A person who has not declared himself to be studying for sacred orders should be considered a lay novice or member.

## 1008.2 Dismissal of Novices:

The (Vice-)provincial Superior of a particular novice with the consent of his ordinary council is the competent authority to dismiss that novice.

Cf. CIC c. 653 §1 [CCEO c. 461]; DS M08 and DS 1901.2 B.

## Section 1100: RELIGIOUS PROFESSION

### **1101. First Profession**

#### 1101.1 Competent Authority:

##### A. Admission to First Profession:

The (Vice-)provincial Superior of the novice concerned, with the consent of his ordinary council, admits novices to first profession (DS M06).

##### B. Acceptance of Profession:

The (Vice-)provincial Superior or his delegate are by law competent to receive the profession (cf. CIC c. 656; [CCEO c.527, 2°]). The superior of a house of formation, the prefect of students and the novice master have delegation by our law to receive vows (St. 079). If requested, the Superior General can delegate the Coordinator of a particular Conference to receive the profession of a member(s) of that Conference.

#### 1101.2 Requirements for Validity:

In order for a novice to validly make his first profession the following criteria of CIC c. 656 [CCEO cc. 463, 527] must be met.

- A. He must have completed his eighteenth year of age;
- B. He must have validly completed his novitiate;
- C. He must be freely admitted by the competent authority (cf. DS 1101.1 A above);

- D. The profession must be expressed and freely made without force, grave fear or fraud.
- E. The profession must be received by a legitimate superior or delegate (cf. DS 1101.1 B above).

### 1101.3 Other Requirements:

Our proper law adds the following requirements for liceity.

- A. A written request by the candidate to the (Vice) provincial Superior for admission to profession (St. 077). Form 10 found in *Supplement to the Directory of Superiors* [online] Part I; Profession, indicates the points to be included in this request.
- B. Written reports from the directors of formation concerned with the candidate, and if the case requires it, also an opinion from the community in which he lived (St. 078).
- C. A retreat of at least eight full days must precede first profession (St. 070).

## **1102. Duration of Temporary Vows**

1102.1 Temporary vows are to be taken for renewable periods of at least one year (St. 072).

1102.2 The (Vice-)provincial Superior with the consent of his ordinary council determines the time between novitiate and perpetual profession for each person (DS M09). It may not be shorter than three years nor ordinarily longer than six (C. 86-2°-e; CIC c. 655 [CCEO c. 526]). In exceptional cases, the (Vice-)provincial Superior, with the consent of his ordinary council, can extend the period of temporary profession but the entire period of temporary vows may never exceed nine years (c. 657 §2; [CCEO cc. 463, 465, 526]).

1102.3 The (Vice-)provincial Superior, with the consent of his ordinary council, may allow perpetual profession to be anticipated, but not by more than three months (DS M10; CIC c.

657 §3).

### **1103. Renewal of Temporary Profession**

#### **1103.1 Competent Authority:**

A temporarily professed Redemptorist who freely petitions and is judged suitable is to be admitted to renewal of profession; otherwise, the person is to depart if he is found unsuitable (CIC c. 657 §1; [CCEO cc. 526, §2, 546, §1, 547, 1]). The (Vice-)provincial Superior after hearing his ordinary council makes the judgment of suitability (DS L09; cf. DS 1601.2 2).

The renewal of temporary profession may be accepted by any one of the persons indicated in DS 1101.1 B above.

#### **1103.2 Reasons for Refusal:**

There must be a just cause for refusing renewal of profession (CIC c. 689 §1 [CCEO c. 547 §1]).

A physical or psychic illness, even if contracted while in temporary vows, is a sufficient reason for refusal, if in the judgment of experts it makes the person unfit to live the life of the Institute, unless the infirmity was contracted through the Institute's negligence or through work performed for the Institute (CIC c. 689 §2 [CCEO c. 547 §2]). However, if a person becomes insane while in temporary vows, he may not be dismissed, even if he cannot renew his vows (CIC c. 689 §3 [CCEO c. 547 §3]).

### **1104. Perpetual Profession**

#### **1104.1 Competent Authority:**

The professed person who is eligible, freely asks for perpetual profession and is judged fit must be admitted to profession; if he is judged unfit, he must be sent away (CIC c. 657 §1). Reasons for refusal are explained in DS 1103.2 above (cf. also DS 1601.2 2).

The (Vice-)provincial Superior, with the consent of his ordinary council, admits candidates to perpetual profession

(DS M11; C. 86-2°-c; St. 062-b). After hearing his ordinary council, the (Vice-)provincial Superior may refuse admission to perpetual profession (DS L09).

If perpetual profession is refused, the member must be sent away. Or, the (Vice-)provincial may choose to extend the time in temporary vows. The time in temporary vows cannot exceed nine years.

The (Vice-)provincial Superior, with the consent of his ordinary council may allow perpetual profession to be anticipated, but not by more than three months (DS M10; CIC c. 657 §3).

The profession may be received by any one of the same persons indicated in DS 1101.1 B above.

#### 1104.2 Requirements for Validity:

To validly make final profession, the following criteria of CIC cc. 656, 658 [CCEO cc.527, 1°-3°, 532] must be met:

- A. He must be freely admitted by the competent authority (cf. CIC c. 656 [CCEO c. 527, 1°]; DS 1104.1 above);
- B. He must be free from force, grave fear or fraud in making profession (CIC c. 656 [CCEO c. 527 §3]);
- C. The profession must be received by a legitimate superior or delegate (cf. CIC c. 656 [CCEO c. 527, 1°]; DS 1101.1 B above);
- D. The person must have completed at least twenty-one years of age (CIC c. 658);
- E. He must have been temporarily professed for at least three years (CIC c. 658 [CCEO c. 532], allowing for the exception mentioned in DS 1102.3 [CIC c. 657, §3] above).

#### 1104.3 Other Requirements

Our Redemptorist law adds the following requirements for

liceity.

- A. A request for admission to perpetual profession and the reports mentioned in DS 1101.3 A and B above.
- B. A confrère must have completed one continuous period of pastoral experience of no less than six months (CG 0000 117/2015 - Decree on Formation). DS Document 4
- C. A preparation of at least one month in the manner of a novitiate according to the (vice-)province's program of formation (St. 075; cf. St. 081-a) in addition to the required eight-day retreat (CG 0000 117/2015 - Decree on Formation). DS Document 4

## **1105. Formulas for Profession**

The formulas for temporary or perpetual profession and renewal of profession are found in the appendix to the constitutions. Other suitable phrases may be added to these texts provided they do not change the meaning in any essential point (Appendix to CC).

## **1106. Ceremony of Profession**

The ceremony in the approved liturgical books for the profession of vows should be followed. In addition to the person receiving the vows, there should be two official witnesses designated (cf. St. 079).

## **1107. Records and Reports**

### **1107.1 First Profession:**

During or immediately after the ceremony, a form indicating the professing of vows should be signed by the person making the profession, the person accepting the vows and the two witnesses (St. 079). Use Form 11.1 found in *Supplement to the Directory of Superiors* [online] Part I; Profession, for this. The original should be kept in the (vice)provincial archives.

A copy of this form should be sent to the General Government as soon as possible after the profession (cf. DS 404.2). A personal data form must also be sent (cf. Form 11.2 found in *Supplement to the Directory of Superiors* [online] Part I; Profession).

#### 1107.2 Renewal of Profession:

The form for recording the renewal (Form 12 found in *Supplement to the Directory of Superiors* [online] Part I; Profession) should be signed by the persons mentioned in DS 1107.1 above and kept in the (vice-)provincial archives. A copy of this form should be sent immediately to the General Government (cf. DS 404.3).

#### 1107.3 Non-renewal of Temporary Vows:

If a person chooses not to renew his vows, or if he is refused renewal of profession, a record of this should be kept in the (vice-)provincial archives and a notice of this should be sent to the General Government using Form 15 found in *Supplement to the Directory of Superiors* [online] Part I; Separation from the Congregation, (cf. DS 404.3).

#### 1107.4 Perpetual Profession:

Form 13, found in *Supplement to the Directory of Superiors* [online] Part I; Profession, for recording the profession signed by the persons mentioned in DS 1107.1 above should be kept in the (vice-)provincial archives. A copy of this form should be sent to the General Government and to the parish of the person's baptism (cf. DS 404.4).

#### 1108. Admission of a Member from another Religious Institute (CIC cc. 684, 685 [CCEO cc. 544, 545])

This process is exclusively handled by the superiors general of the former and receiving institutes.

#### 1108.1 Competence

Permission must be given by the Redemptorist Superior General and the Superior General of the other religious institute with the consent of their councils.

If the member is transferring to or from a secular institute or a society of apostolic life, the permission of the Holy See is required (cf. 1108.3.6 below).

## 1108.2 Practical Information

The Superior General and his council determine the length and type of program the candidate will undergo. This program must last at least three years. At the end of it the person is perpetually professed as a Redemptorist.

During his probationary period, the candidate's rights and obligations in and to his former institute are suspended. He observes the proper law of the Redemptorist Congregation.

At the end of his probationary period he may be admitted directly to perpetual profession. He need not make a novitiate. If the candidate refuses profession or he is denied perpetual profession, he is to return to his former institute. At that time, he resumes his rights and obligations in his former institute.

## 1108.3 Procedure Summary

- A. Ordinarily the member spends some time living with the Redemptorists before making a formal application to transfer. For this the major superior of his present institute can grant a permission of absence. When this is completed:
- B. The petitioner makes a formal written request to his current major superior and to the competent Redemptorist superior (provincial – see 1108 or Superior General) to begin the official trial period in view of a transfer to the new institute. The petition is made and signed in two copies. One is given to the current major superior of the applicant, the other to the Redemptorist Superior Gen-

eral.

- C. The applicant's current major superior makes a written statement of his opinion regarding the matter addressed to the Redemptorist major superior [Superior General].
- D. The Redemptorist Superior General writes a statement to the Superior General or major superior of the applicant's current institute giving his permission and clearly stating the consent of his council for the applicant to enter the formal trial period in the Redemptorist Congregation and describes in general the length foreseen for the probationary period.
- E. These materials are sent to the Superior General of the member's current institute who then, with the consent of his council, may approve the petition.
- F. If the transfer is either from a secular institute or a society of apostolic life, all the above materials are then transmitted to the Congregation for Institutes of Consecrated Life and Apostolic Life by the procurator general of the member's current institute with his letter petitioning the permission of the Holy See.
- G. When the permission is given, the member's Superior General in his current institute is notified. As of receipt of the permission, the person begins his official period of probation with the Redemptorists. Ordinarily he is requested to keep the Superior General of his current institute informed of his progress until he makes perpetual profession in the Redemptorist Congregation. Official notice of the perpetual profession (or return) of the person should be sent to the General Government of the member's former institute by the Superior General of the Redemptorist Congregation.

## Section 1200: RETURN TO THE CONGREGATION

### **1201. Those Obligated to Return**

The following are obliged by law to return to the Congregation:

- 1201.1 Members who have been on exclaustation when the indult expires, unless beginning a process of secularization or laicization.
- 1201.2 Members who transferred to another religious institute, if they do not make perpetual profession in the new institute (CIC c. 684 §2 [CCEO c. 545 §3]).
- 1201.3 Members who were accepted into a diocese with period of probation if not incardinated definitively (cf. CIC c. 265).
- 1201.4 Members illegitimately absent from the religious house (CIC c. 665 §1 [CCEO c. 550]).

### **1202. Readmission to the Congregation**

1202.1 Regarding those who have legitimately left (CIC c. 690):

- A. This includes those who left after completing novitiate but before taking vows (CIC c. 653 §2), those who left at the expiration of a period of temporary vows (CIC c. 688 §1), non-clerics who were legitimately dispensed from their vows (CIC c. 691), and clerics who have been incardinated (CIC c. 693).
- B. Those listed in A. may be readmitted by the Superior General with the consent of his council (DS D25). They need not be required to make a new novitiate.

The Superior General sets a time and program of probation for them (CIC c. 690 §1) before a new temporary profession. Even if the petitioner left having professed perpetual vows, he cannot immediately profess perpetually upon completion of his probationary period.

The petitioner must be in temporary vows for at least

three years (CIC cc. 655 and 657). However this three-year period may include the time spent in temporary profession before leaving. The (Vice-)provincial Superior can increase the time of probation before profession (DS K14).

- C. Clerics who have been laicized cannot return to the Congregation without permission of the Holy See (CIC c. 293 [CCEO c. 398]).

#### 1202.2 Those who have not Left Legitimately

Those who have been dismissed from the Congregation may not be readmitted without permission of the Holy See.

### **1203. Procedure for Readmission**

#### 1203.1 The following items should be forwarded by the (Vice-)provincial Superior to the Superior General:

- A. A written and signed request by the person which explains his reasons for wishing to return and describes his life, especially since the time of his departure from the Congregation.
- B. A written and signed opinion of the (Vice-)provincial Superior commenting in some detail on the request. He should seek testimony from others (e.g. the person's pastor, other priests, co-workers, etc.) to the extent necessary to establish the health, good conduct and right intention of the person.
- C. Any other documentation which would help in making the decision.

#### 1203.2 The Superior General with the consent of his council must approve the petition. In the cases where the permission must be given by the Holy See, the material is then forwarded to it.

## Section 1300: OBLATES AND LAY MISSIONARIES

### **1301. Sodalties of Oblates**

The establishment of a sodality of oblates in one of our houses is reserved to the Superior General (DS B07).

### **1302. Admission of Oblates**

The admission of individual persons to the rank of oblate is reserved to the Superior General (DS B07).

When the petition for admission arises from a (vice-) province, it should include a letter of recommendation from the (Vice-)provincial Superior which includes:

- A. the candidate's personal name and surname (exactly as they should appear on the certificate of admission);
- B. the person's full address;
- C. the reasons for which the person merits admission.

### **1303. Privileges**

Oblates enjoy "all the indulgences and other spiritual graces, but not the faculties, granted to the Congregation by the Sovereign Pontiff" (CP 56). In 1968 (DA, 1977, pp. 73-4), the Sacred Penitentiary determined that, under the usual conditions, an oblate can gain a plenary indulgence on:

- A. the day of inscription;
- B. the feasts of:

The Most Holy Redeemer,  
The Immaculate Conception of the BVM,  
Our Mother of Perpetual Help,  
St. Alphonsus M. Liguori,  
St. Clement M. Hofbauer,  
St. Gerard Majella,  
St. John N. Neumann.

#### **1304. Lay Missionary of the Most Holy Redeemer (LMMHR)**

The XXI General Chapter decided to “institute in the Congregation the role of Lay Missionary of the Most Holy Redeemer as an active co-worker and participant in the apostolic life of the Redemptorist Congregation” (60a); and encouraged “communities to open themselves up to the laity, so that they may have a greater share in our experiences of life, work and spirituality” (n. 60b) (XXI General Chapter, 1991).

“The admission of Lay Missionaries of the Most Holy Redeemer pertains to the (V)Provincial Superior with the consent of his Ordinary Council, having heard the opinion of the local community in which the Lay Missionaries of the Most Holy Redeemer are to be enrolled. It is necessary that the admission be preceded by adequate formation and appropriate time for experience according to the directions of the (V)Provincial Statutes. The General Council must be duly informed.” (45) (*Communicanda* 8, September 1995, No. 45).

The 25<sup>th</sup> General Chapter developed the decisions of the XXI General Chapter with the decision to establish “a permanent Office for shared mission at the level of the General Government....This Office.....will prepare a Directory which will describe the profile of the lay Redemptorist, in all its diverse expressions. It will delineate clearly the duties, rights, responsibilities, and levels of incorporation.” (Decision 11, 25<sup>th</sup> General Chapter 2016).

“The official recognition of lay Redemptorist groups and the approval of their respective statutes, once the requirements of the canonical norm have been respected, pertain to the (V)Provincial government based on criteria decided by the (V)Provincial Chapter. Such recognition should be expressed in a liturgical celebration by the whole community.” (*Comunicanda* 8, September 1995, No. 37).



## **Chapter VI. Absence from the Congregation – Religious Community**

### **OBLIGATION TO LIVE IN COMMUNITY**

Redemptorists are bound by canon law and our own proper law to live in their own religious house, observe common life and not be absent from it without the superior's permission. (CIC c. 665 §1 [CCEO cc.478 + 495. 550] C. 21).

In particular circumstances, however, it may become necessary for a member to be away from a Redemptorist community. There are several ways in which this can be accomplished legitimately.

Being away or absent from any Redemptorist community and life in community does not in any way mean leaving or departing from the Congregation, that is to say, no longer being a Redemptorist.

The alternatives that canon and proper law provide for a legitimate absence from common life are:

1. Permission for Absence from Community
2. Exclaustration: Simple, Imposed and 'Ad Experimentum'
3. Indult of Transfer

Ceasing to be a member of the Congregation is normally called "Departure". If a member is involuntarily expelled from the community, it is called a Dismissal or Expulsion, otherwise it is normally called "Departure".

### **Section 1400: PERMISSION FOR ABSENCE**

#### **1401. Notion**

Absence from the religious community (house) is the state of a religious who legitimately resides for a long period of

time outside of a community of the Congregation. He must still observe the obligations of his vows, although the superior can, as an exception, grant him permissions that are suited to his new living condition, such as modifying his practice of the vow of poverty.

An Absence with Permission is not in any way a case of leaving the Congregation. It is simply a temporary permission given to a member for just reasons to live for an extended time outside of a Redemptorist community.

## **1402. Reasons**

### **1402.1 Primary reasons given in law for granting permission to live outside of community**

CIC canon 665 §1 [cf. CCEO c. 478] gives three reasons for which the major superior and his council can give permission. These are:

1. Studies (e.g. the confrère will be studying in a location in which no Redemptorist community is established).
2. Health (this can be the confrère's own medical care, e.g. his treatment requires a long-term stay in a medical facility. The Holy See has also interpreted this to mean the care of a close relative, e.g. a parent, sibling, etc. It must be immediate family, not a distant relative).
3. Apostolic work in the name of the community (e.g. the confrère is legitimately assigned to a place where no Redemptorist community exists.) CCEO c. 478 does not mention this exception, which is not surprising, as the canon refers to absence from a monastery.

### **1402.2 Other Reasons**

The Law (St. 0211; CIC c. 665 §1 [cf. CCEO c. 478]) also allows a permission of absence to be granted by the major superior with the consent of his council for "other just reasons".

The difference between granting a permission of absence

for “a just reason” and granting one for the reasons given in 1402.1 is that permissions given for any reason other than the three mentioned in 1402.1 can only be given for a maximum of one year. In order to renew or extend it, the permission of the Holy See is required. (DS M04).

NOTE: Confrères seeking time away from the Congregation to discern their vocation or to consider leaving the Congregation may be granted permission for absence from the community for one year. In such cases, the person concerned loses his right to active and passive voice (cf. GS 0211). However, if at the end of that year, a decision has not been made by the confrère in question, he must seek Exclaustration. (See Exclaustration below)

### **1403. Competency**

- A. For any of the three reasons given in 1402.1, the (Vice)provincial Superior with the consent of his ordinary council can grant a permission of absence for as long as the reason exists. (DS M04)
- B. For other reasons (1402.2), the (Vice-)provincial Superior, with the consent of his ordinary council, can give permission for up to one year (DS M04).
- C. For absences granted for the reasons mentioned in 1402.2, permission must be obtained from the Holy See to extend the absence after one year or to request an absence lasting longer than one year.
- D. In the section on Orders and Congregations in the CCEO (Title XII, Chapter 1, Art. III, cc. 504-553), there is no canon that grants Oriental major superiors competence to grant leave of absence to their members. But the CICLSAL states in a private reply that such major superiors do in fact have that competence provided it is stated in the proper law of the institute. For our proper law see GS 0211.

### **1404. Consequences**

Those on a legitimate Absence with Permission:

- Remain subject to the proper law of the Congregation

and to their superior. The major superior can give permission to modify the practice of poverty for example, to accommodate a particular need of the member.

- Enjoy all the rights and privileges of other members of the Congregation.
- Must return to the community when they are told to or when the permission expires.
- Retain active and passive voice, unless the major superior, for serious reasons, deprives a specific confrère of these rights.
- If a cleric, faculties from the ordinary of the place to exercise the ministry are needed.
- May continue to wear their religious habit. (See St. 0211).

#### **1405. Procedure**

- A. The (Vice-)provincial must have a written request by the member for a permission of absence from community. The request must state how long he wants the permission for and his reasons for seeking to be absent from the community.
- B. The (Vice-)provincial ordinary council meets and has a deliberative vote on whether to grant the permission of absence or not.
- C. If the council gives its consent, the major superior issues a document as indicated in Form 14.1, found in *Supplement to the Directory of Superiors* [online] Part I; Absence from a Religious House, granting the permission of absence and giving a summary of the reasons for the absence and the length of time of absence granted. (For the reasons in 1402.1 he can grant it until the reason no longer exists; for any other 'just' reason (1402.2) he can grant it only for a maximum of one year).

- D. The original of the document is given to the member requesting the absence; a copy is kept in the (vice-) provincial archives.
- E. A copy of Form 14.1, found in *Supplement to the Directory of Superiors* [online] Part I; Absence from a Religious House, is sent to the Secretary General.
- F. For absences granted for the reasons mentioned in 1402.2, if the request is for an extension beyond the one-year limit, the following should be sent to the Secretary General:
  - 1. A written appeal by the confrère for an extension of his permission, giving the dates of the original permission, how long of an extension he is requesting, and, in detail, explaining the reasons why an extension is needed.
  - 2. A written opinion from the major superior regarding the extension and whether he approves of it and whether he believes it should be granted.

#### **1406. Illegitimate Absence from Community**

A confrère who is absent from the community without the required permission is technically illegitimately absent. However, there is a difference between being technically illegitimately absent and being 'declared' illegitimately absent which makes his illegitimate absence a legal reality.

The superior should not rush to declare someone illegitimately absent. Sometimes, it is obvious that a confrère has every intention of returning to community life, but he is 'taking his time' getting back after his Absence with Permission expires. Sometimes members just drift away.

When a confrère no longer has permission to be absent, it is the superior's duty to seek him out and encourage him to return and to persevere in his vocation (CIC c. 665 §2

[CCEO c. 550]). The superior should keep a record of all the attempts he or others make to seek out the absent confrère. Keep copies of letters as well as records of phone calls, etc. This will be very important in the process of dismissal, if it later becomes obvious that his absence is permanent and he has no intention of ever returning.

Traditionally we have allowed a period of six months to pass, giving the superior the opportunity to repeatedly seek the confrère out, before moving to 'declare' him illegitimately absent. The confrère should first be advised if possible that if his illegitimate absence lasts longer than six months, he can be expelled from the Congregation involuntarily if he does not return and that if he is declared illegitimately absent he will lose his voting rights. He should be told that if he does not return to community by a certain date, he will be declared illegitimately absent.

If the confrère does not respond or refuses to return the superior may:

For pastoral reasons let the situation continue. The member should be asked to sign a renunciation of voting rights (cf. *Supplement to the Directory of Superiors* [online] Part I; Renunciation of the Right to Vote, Form 14.2). This could happen, for example, with a confrère of advanced age, or an infirm confrère, etc.

Notify the confrère that if he does not return by a certain date to community he will be deprived of his voting rights, and that he will be declared illegitimately absent and that this will expose him to the possibility of being dismissed from the Congregation if the situation is not regularized.

Confrères who are declared illegitimately absent lose the right to vote or to be voted for (active and passive voice) (DC 212 c).

If the whereabouts of the person are unknown, a notice containing the information in Form 14.3 (found in the *Supplement to the Directory of Superiors* [online] Part I; Absence

from a Religious House) should be posted publicly in the (vice-)provincial house, the last house to which the person was assigned and be printed in the (vice-)province bulletin; this notice should also ask those who know the person's whereabouts to inform the confrère of this action, or to notify the (Vice-)provincial Superior of his address. A copy of the declaration is to be submitted to the General Government.

If the person still does not respond positively, then declare him illegitimately absent.

It is important to remember that no matter how long a confrère is gone from community, unless he has been legitimately dismissed or has contracted civil marriage, he remains a member of the (vice-)province and of the Congregation. If he is not declared illegitimately absent he continues to have active and passive voice, and if he, years later, decides to return to the (vice-)province, the unit is obligated to accept him back as a full member. Some confrères seem to drift away and disappear. Some have been gone for decades. Unless their status is legitimately clarified, i.e. declared illegitimately absent, dismissed, etc., they are full members of the unit. It is important not to allow confrères such as these to remain in an unclear situation. Their status in relation to the Congregation should be clarified.

It is strongly recommended that at the beginning of every quadrennium an inventory of the membership of the (vice-)province be undertaken and the cases of those members in irregular situations be addressed.

Section 1500: EXCLAUSTRATION (CIC cc. 686, 687; [CCEO cc. 548, 549])

### **1501. Notion**

Exclaustration is a legitimate temporary separation from a religious institute. The person given exclaustration remains

a member of the institute with his vows in force. He is, however, freed from the obligations which cannot be reconciled with his new condition of life. This does not include being freed from the obligation of celibacy. However, for example, he could get a job and use the salary at his own discretion.

Exclaustration is not the same as a Permission of Absence from living in community. It is a more serious 'distancing' from the institute. It usually involves someone who is discerning his future vocational choice. A confrère on Absence with Permission has the intention of returning to the community, but temporarily is unable to because of circumstances in life such as those mentioned in 1402.1 and 1402.2. An exclaustration requires "grave reasons" in order to be granted, while an Absence requires the less demanding "just reasons".

There are different categories of exclaustration recognized by the Holy See:

- Simple Exclaustration
- Imposed Exclaustration
- Exclaustration Ad Experimentum

Formerly the Holy See also recognized a 'Qualified Exclaustration'. This is no longer recognized.

## **1502. Simple Exclaustration**

### **1502.1 Meaning:**

This is an exclaustration given 1) to a non-cleric, or 2) to a cleric who intends to continue acting as a cleric and has been approved by a bishop to reside in his diocese, although not being incardinated.

(If the cleric is seeking incardination into a diocese, he should petition for an Exclaustration Ad Experimentum which is specifically tailored for an incardination into a diocese after a trial period.)

This is an exclaustation granted to a perpetually professed member by the Superior General with the consent of his council for a period not to exceed three years. The exclaustation can be given for shorter periods, such as a year, for example, and renewed, so long as the entire time granted does not exceed three years.

If the member is a deacon or priest, the consent of the Diocesan Bishop of the place of intended residence is required and the bishop must indicate if the member will be allowed to function as a priest while residing in the diocese.

#### 1502.2 Reasons:

There must be a “grave cause” for requesting the exclaustation (CIC c. 686 §1 [CCEO c. 549 §1]).

#### 1502.3 Consequences (CIC c. 687 [CCEO, 491, 548 §§1 and 2]):

- A. The person is excused from all obligations (except celibacy) which are incompatible with his new situation.
- B. He remains dependent on and subject to his superiors and the local ordinary (especially if he is a cleric).
- C. He may continue to wear the habit unless otherwise officially stated.
- D. He loses active and passive voice (the right to vote or be voted for) during the period of his exclaustation (DC 212-b).
- E. When the period of exclaustation expires, he must return to the Institute, unless the exclaustation is renewed.

#### 1502.4 Competence:

- A. The Superior General, with the consent of his council (DS D32), can grant an exclaustation for up to three years. If the member is a cleric (deacon or priest), the consent of the Diocesan Bishop of the place of resi-

dence is required and the bishop must indicate if the member will be allowed to function as a cleric while residing in the diocese. (CIC c. 686 §1 [CCEO c. 549 §1]); it should be in writing.

- B. To extend the exclaustation or to grant it for more than three years, the Holy See must be petitioned. The prior consent of the local ordinary must again be obtained for a cleric (CIC c. 686 §1 [CCEO c. 549 §1]).

#### 1502.5 Procedure:

The following items are to be sent to the Superior General by the (Vice-)provincial Superior:

1. A signed and dated petition from the member, with reasons, and an indication if he is a brother, deacon or priest. Also, he must indicate the length of time for which he seeks to remain outside the Institute.
2. A signed and dated opinion of the Provincial Superior or of (Vice-)provincial Superior and the Provincial Superior if the petitioner belongs to a vice-province or region.
3. In the case of a cleric (deacon or priest), a signed and dated letter from the Diocesan Bishop indicating that the petitioner may reside in his diocese and whether he may or may not function as a cleric during his residency.
4. If granted, the document of exclaustation will be sent to the (Vice-)provincial Superior to be given to the petitioner.
5. In the case of a request for an extension, the items in 1, 2, and 3 must be obtained again.
6. When the exclaustation is granted, it is sent to the (Vice-)provincial Superior to be given to the confrère.

**1503. Exclaustration Imposed by the Holy See (CIC c. 686 §3 [CCEO cc. 490, 491])**

1503.1 Meaning:

This exclaustration is not requested by the person but imposed on him at the request of the Congregation. It can be imposed either on clerics or non-clerics.

1503.2 Reasons:

The reasons must be grave, and justice and charity taken into consideration. Such reasons would be the common good of the community; actions not so grave or not sufficiently proven to merit dismissal; etc.

1503.3 Consequences:

These are the same as for simple exclaustration unless the rescript states differently. Its length is decided by the Holy See.

1503.4 Competence:

The case must be presented to the Superior General who with the consent of his council may make the request to the Holy See (DS D34).

1503.5 Procedure:

Having at least heard his council, the (Vice-)provincial Superior must present to the Superior General a written request that an exclaustration be imposed on the confrère. The letter should include the opinion of the councilors, the confrère's full name, date of first and final profession, as well as the date of ordination if the person is a cleric.

Additionally, he should send a detailed explanation of the situation and description of the "grave reasons" why the imposed exclaustration is being requested and a description of the attempts that have been tried to solve this situation with a less drastic step.

Documents which support the explanation of the 'grave

reasons' should also be included, such as medical evaluations, psychological evaluations, police reports, witness testimony, etc.

This request will be considered by the Superior General who will seek the consent of his council. If consent is accorded, the petition will be forwarded to the Holy See which will make the final determination.

#### **1504. Exclaustration Ad Experimentum**

For the discussion of Exclaustration Ad Experimentum, also referred to as an Incardination Ad Experimentum, see Section 1702.

## **Chapter VII. Departure from the Congregation**

### LEAVING THE CONGREGATION

Departure from the Congregation is not the same as absence from the Congregation (cf Chapter VI).

Absence means that the person is still a member of the Congregation, but for some legitimate reason is living away from a Redemptorist community. He fully intends to return to full community life and is under the authority of his legitimate superiors.

Departure from the Congregation means that a person ceases to be a member of the Congregation. Dismissal is a type of departure and is a term used when a person is involuntarily removed from membership in the Congregation.

There are a number of legitimate ways of definitively leaving (departing from) the Congregation:

Non-renewal of Temporary Vows

Dispensation from Temporary Vows

Dispensation from Perpetual Vows

Incardination into a Diocese

Transfer to another Institute

Dispensation from the Obligations of Ordination also known as Loss of the Clerical State (Laicization)

### Section 1600 –TERMINATION OF VOWS

#### **1601. Termination of Temporary Vows**

##### 1601.1 Notion

Termination of vows refers to a confrère in temporary vows who chooses not to renew his vows when they expire or is refused renewal of vows by the competent authority

## 1601.2 Competence

### 1. Voluntary Non-renewal of Vows.

There is no special process involved if the person freely chooses not to renew his vows (cf. CIC c. 688 §1 [CCEO c. 546]).

### 2. Refusal of Permission to Renew Vows or make Perpetual Vows.

It is the competence of the (Vice-)provincial Superior after hearing his ordinary council to refuse permission for the renewal of temporary vows or to refuse advancement to perpetual vows. This is explained above in DS 1103.1 and DS 1104.1.

## 1601.3 Consequences

All rights and obligations entailed by profession cease and any wills or cessation of administration documents are returned to the person departing. In keeping with CIC c. 702.1 [CCEO c. 503], the former religious may not claim remuneration for any works while a member of the Institute.

## 1601.4 Procedure

A record of the person's non-renewal of vows should be kept in the (vice-)provincial archives indicating the date of their expiration. If the person is refused renewal, suitable records of the decision and its reasons should also be kept.

In all cases of non-renewal, notice of the person's termination of membership must be sent to the General Government. Use DS Form 15 found in the *Supplement to the Directory of Superiors* [online] Part I; Separation from the Congregation.

## Section 1650 – DISPENSATION OF VOWS

The Dispensation from Vows involves a relaxation of an ecclesiastical law, a favor granted to an individual by the legitimate authority. In this case, the favor is called an 'in-

dult of departure'. Since it is a favor, the individual is not obliged to accept it, even if it is granted upon his own request. He has the right of changing his mind and rejecting it when he is notified that it has been granted.

The indult to leave the Institute takes effect as soon as it has been granted and the petitioner notified, unless the person rejects it in the act of notification (CIC c. 692 [CCEO cc. 493 §1, 549 §3]). This notification should be done in writing or orally before two witnesses. There is no need for a formal acceptance of the indult, simply that there is no rejection of it when received. There should, however, be a written record of the notification which contains the person's signature (or the signature of the witnesses), acknowledging that he has been notified.

## **1651. Dispensation of Temporary Vows**

### **1651.1 Meaning:**

If a person wishes to leave the Congregation and it does not seem prudent for him to wait until the expiration of his temporary vows in order to leave, he can request an indult of departure. This indult is a dispensation from temporary vows making it possible for him to leave the Institute.

### **1651.2 Reasons:**

There must be a grave reason for requesting this indult (CIC c. 688 §2 [CCEO c. 546 §2]).

### **1651.3 Consequences:**

The confrère is released from all obligations of his vows and loses all rights in the Congregation which itself has no further obligations in justice to him, although it may "be called upon in charity to assist him" (CIC c. 702, §2 [CCEO c. 503, §2]).

### **1651.4 Competence:**

As a delegate of the Superior General, the (Vice-) provincial Superior with the consent of his ordinary council

can dispense from temporary vows (DS M12).

#### 1651.5 Procedure:

1. The member who desires the dispensation of his temporary vows, writes a letter to the (Vice-)provincial Superior asking for the indult and clearly stating the 'grave reason or reasons' which moved him to request it. This letter is to be signed and dated by the author.
2. The (Vice-)provincial Superior, after receiving the consent of his ordinary (vice-)provincial council, writes a decree of dispensation using the example found in the *Supplement to the Directory of Superiors* [online] Part I; Separation from the Congregation, Form 16.1 of the DS. This should be given to the person along with the form of acknowledgement found in the *Supplement to the Directory of Superiors* [online] Part I, Separation from the Congregation, Form 16.2.
3. A copy of the dispensation should be kept in the (vice-)provincial archives along with the form of acknowledgement of notification. Copies of both should be sent to the General Government (cf. DS 404.7).

### **1652. Dispensation from Perpetual Vows**

#### 1652.1 Meaning:

A dispensation from perpetual vows, that is, a permission to leave the Congregation after final profession, is given only to non-clerics. This dispensation is not available to clerics (priest or deacon). For a dispensation from perpetual vows, clerics must either seek incardination or the loss of the clerical state.

#### 1652.2 Reasons:

To request this dispensation, there must be "very grave reasons weighed before the Lord" (CIC c. 691 §1 [CCEO c. 549 §1]).

#### 1652.3 Consequences:

Cf. DS 1601.3 above.

#### 1652.4 Competent Authority:

By reason of a privilege, the Superior General with the consent of the General Council can grant an indult to leave the Institute with a dispensation from perpetual vows (C. 145; DS D27).

#### 1652.5 Procedure:

The (Vice-)provincial Superior should send the following to the Superior General:

1. A signed and dated request from the member which includes his very grave reasons for the request and indicates the exact dates of his first profession and perpetual profession.
2. A signed and dated evaluation of the request by the (Vice-)provincial Superior and, if the confrère belongs to a vice-province, an evaluation from the Provincial Superior with the opinion of his ordinary council.
3. A signed and dated evaluation of the request by the person's most recent immediate superior (e.g. prefect of students, rector) is useful.

When the indult is given, notice will be sent to the (Vice-)provincial Superior who is to convey it to the one who made the petition. The acknowledgement of receipt sent with the indult should be returned immediately to the General Government.

#### 1700 INCARDINATION

Incardination refers to a confrère leaving the Congregation and officially becoming a member of the presbyterate of a diocese. He is said to be incardinated into the diocese.

There are two tracks for a confrère who wishes to leave the Congregation and join a diocese:

1. Immediate Incardination

## 2. Incardination Ad Experimentum.

### **1701. Immediate Incardination (Incardination without Trial Period)**

#### 1701.1 Meaning:

This is the case of a cleric who requests to be immediately incardinated into a diocese, AND WHO HAS BEEN ACCEPTED BY THE BISHOP FOR IMMEDIATE INCARDINATION without a period of probation, and thus requests to be dispensed from his vows in the Congregation in view of an immediate incardination.

This normally happens when the person has been serving as a Redemptorist in the diocese for some time and is well known to the bishop who sees no need for a trial period.

#### 1701.2 Reasons:

To request this indult, there must be "very grave reasons weighed before the Lord" (CIC c. 691 §1).

#### 1701.3 Consequences:

The member immediately becomes subject to the authority of the Diocesan Bishop. He is released from all obligations of his religious vows and loses all rights in the Congregation (C. 148).

#### 1701.4 Competence:

By reason of a privilege, the Superior General with the consent of the General Council can grant this dispensation (C. 145; DS D30).

#### 1701.5 Procedure:

The (Vice-)provincial Superior should send to the Superior General:

1. Letter from the PETITIONER to his major superior stating his request for a dispensation from his religious vows with a view to an immediate incardination into the Diocese of [NAME OF DIOCESE] and clearly stating

his grave and serious reasons for wanting to leave the Congregation and religious life and incardinate into the diocese.

2. A brief biography of the petitioner giving: full name, date of birth, place of birth (city, country), date of first profession, date of perpetual profession, ordination, principal ministry, list of assignments.
3. Letter from the petitioner's major superior to the Superior General evaluating the petition and stating whether he supports the petition and stating the opinion of his council.
4. If the PETITIONER belongs to a vice-province, a letter from the Provincial Superior approving the petition must also be included.
5. Letter from the bishop of the receiving diocese clearly and explicitly stating that the petitioner will be incardinated IMMEDIATELY into his diocese.

It is very important that the bishop clearly state in his letter that he is accepting the member for IMMEDIATE incardination. This is also true for the major superior's letter to the Superior General as well as the confrère's letter of petition to the major superior. Both must be clear that the subject matter is the dispensation of vows in view of an IMMEDIATE incardination into the diocese (and state the name of the diocese).

6. When the indult is given, it will be sent to the (Vice-) provincial Superior who is to convey it to the Diocesan Bishop who then presents it to the cleric and receives his acknowledgement of its receipt. The bishop should return this acknowledgement to the General Government.

## **1702 INCARDINATION AD EXPERIMENTUM (Also called Ex-claustration Ad Experimentum)**

Incardination Ad Experimentum, or incardination after a tri-

al period, refers to the process by which a member may be dispensed from his perpetual vows and become definitively incardinated into a diocese. This differs from an 'immediate incardination' in that the receiving bishop requires a trial period during which the member will work in the diocese and be subject to the authority of the bishop in order to better evaluate whether a definitive incardination of the cleric is warranted and prudent.

This process affords the bishop a five-year period within which to evaluate the cleric. The Holy See grants an Incardination Ad Experimentum to the religious cleric which, in effect is an Exclaustration Ad Experimentum (an exclaustration for the trial). By law this is fixed at a period of five years. It is a 'trial incardination'. The bishop may at any time, however, incardinate the member. He may also, at any time refuse definitive incardination to the member. If the bishop refuses incardination, the cleric must return to the Congregation and return to community. If the bishop does not refuse incardination, at the end of the five-year period the cleric is automatically incardinated into the diocese by law. So the bishop must refuse incardination in order for the member not to be eventually incardinated (CIC c. 693 [CCEO c. 549 §3]).

NOTE: A petition for a simple exclaustration, which at most can be granted for three years, is NOT the proper option to use when a clerical confrère wants to incardinate into a diocese and the bishop wants a trial period. Neither is it appropriate to seek permission for absence which cannot be granted for more than one year if the reason is the discernment of vocation. Even if the bishop decides to incardinate during the period allowed away from community, the confrère must go through the process of seeking a dispensation from vows in view of an immediate incardination (cf. 1701).

### 1702.1 Reasons:

To request this indult, there must be "very grave reasons weighed before the Lord" (CIC c. 691 §1 [CCEO c. 549 §1]).

### 1702.2 Consequences

The confrère passes under the authority of the Diocesan Bishop. He is temporarily released from all obligations of his religious vows and temporarily loses all rights in the Congregation (i.e. he is exclaustated). Should he not complete the period of probation, he must return to the Congregation.

When the cleric is incardinated definitively by the Diocesan Bishop, or if he completes five years without being refused by the bishop (in which case he is automatically incardinated definitively by the law (CIC c. 693 [CCEO cc. 494 §2, 549 §3]), all his rights and obligations in the Congregation cease.

### 1702.3 Competence:

This type of indult is granted by the Holy See. The Superior General with the consent of the General Council must first approve the request (DS D31).

### 1702.4 Procedure:

The (Vice-)provincial Superior should send to the Superior General:

1. A letter from PETITIONER to his major superior stating his request for a dispensation from his religious vows with a view towards an eventual incardination into the Diocese of [NAME OF DIOCESE] after a trial period and clearly stating his grave and serious reasons for wanting to leave the Congregation and religious life and incardinate into the diocese.
2. A brief biography of the petitioner giving: full name, date of birth, place of birth (city, country), date of first

profession, date of perpetual profession, ordination, principal ministry, list of assignments.

3. A letter from the petitioner's major superior to the Superior General evaluating the petition and stating whether he supports the petition for an exclaustation "ad experimentum" and stating the opinion of his council.
4. If the PETITIONER belongs to a vice-province, a letter from the Provincial Superior approving the petition must also be included.
5. A letter from the bishop of the receiving diocese clearly and explicitly stating that the petitioner will be accepted AD EXPERIMENTUM into his diocese (he may also use the terms "praevio experimento" or "for a trial period").

It is very important that the bishop clearly state in his letter that he is accepting the member 'ad experimentum', i.e. for a trial period. The Holy See will NOT grant this indult if this is not clear. This is also true for the major superior's letter to the Superior General as well as the member's letter of petition to the major superior. Both must be clear that the subject matter is an exclaustation "Ad Experimentum" in view of a possible future definitive incardination into the Diocese of [give the name of the Diocese].

6. When the member becomes incardinated definitively (or the member returns to the Congregation), notice should be sent by the (Vice-)provincial Superior to the General Government.

## Section 1800: TRANSFER TO ANOTHER INSTITUTE

### **1801. Notion**

This is the case of a perpetually professed member leaving the Congregation to join another religious order or congregation, a secular institute, or a society of apostolic life.

### **1802. Consequences (CIC cc. 684 and 685 [CCEO cc. 544 and 545])**

If he requests and receives the permission of both his Redemptorist Superior General and the Superior General of the receiving institute, the person enters a period of probation in the new institute which is to last at least three years. His rights (e.g. to vote) and obligations (e.g. permissions from our superiors) in our Congregation are suspended during this period; he is bound to the law of the new institute. At his perpetual profession in the new institute, his vows, rights and obligations as a Redemptorist cease. If he leaves the new institute or is refused permission to make perpetual profession, he must return to our Congregation or obtain an indult to leave the religious life (secularization).

### **1803. Competence**

If the intention is to enter another religious institute, permission can be given by the Superiors General or Supreme Moderators of both institutes with the consent of their councils (DS D28).

If the person wishes to transfer to a secular institute or a society of apostolic life, permission must first be given by the Superior General with the consent of his council (DS D28), who then forwards the petition to the Holy See for approval.

### **1804. Procedure**

Ordinarily the confrère should spend some time living in-

formally within the new institute before making the petition. For this, the (Vice-)provincial Superior can grant a permission for absence from the community (cf. DS M04; DS 1400).

- 1804.1 The (Vice-)provincial Superior should forward the following material to the Superior General:
1. A signed and dated petition to his major superior from the person giving a thorough explanation of his reasons for requesting the transfer.
  2. A signed and dated letter from the (Vice-)provincial Superior to the Superior General with his opinion (votum) regarding the petition for transfer.
  3. If the member belongs to a vice-province or region, a signed and dated letter from the Provincial Superior to the Superior General stating his opinion (votum) and that of his ordinary council.
  4. The written permission of the Superior General of the new institute clearly stating the consent of his council for the person to enter a trial period in the new institute.
- 1804.2 In the case of transfer to a secular institute or to a society of the apostolic life, the petition must be approved by the Redemptorist Superior General with the consent of his council. This material is then sent by the Superior General to the Holy See seeking approval of the transfer.
- 1804.3 When the permission is given, the (Vice-)provincial is notified. As of receipt of the permission, the person is transferred. Ordinarily he is requested to keep the Superior General informed of his progress until he makes perpetual profession. Official notice of the perpetual profession (or return) of the person should be sent to the General Government by the (Vice-)provincial Superior.

## **Chapter VIII. Dismissal from the Congregation**

### **SECTION 1900 - DISMISSAL FROM THE CONGREGATION**

Dismissal from the Congregation is not the same as a departure from the Congregation or a separation from the Congregation. When a person is dismissed, he ceases to be a Redemptorist. He is no longer a member of the Congregation. The difference between a 'dismissal' and a 'departure' is that a dismissal is involuntary. In a departure, a member requests a dispensation from vows, but in a dismissal a permanent departure is imposed on a member concomitant with dispensation from his vows and from all the rights and obligations arising from profession. He is removed from the Congregation even if he does not wish it. It is not voluntary.

There are a number of legitimate ways of definitively leaving (departing from) the Congregation as we have seen in Chapter VII. However, situations may arise in which the Superior is either constrained by law or determines himself that the most prudent way of safeguarding the spiritual and material well-being of all concerned is to dismiss the person in question from the Congregation.

#### **1901. Dismissal of Candidates or Novices**

##### **1901.1 Reasons:**

The following can rightly be dismissed:

- A. Those who have incurred a legal impediment from which they cannot or should not be dispensed (cf. CIC c. 643 §1 [CCEO cc. 450, 4<sup>o</sup>-7<sup>o</sup>, 517 §1]; DS 1007).
- B. Those who do not have good health, suitable character, sufficient qualities of maturity for religious life, or who do not meet the standards of St. 051 (CIC c. 642 [CCEO cc.448, 453 §2]).

- C. Those entering with the intention of becoming priests who do not meet the criteria of CIC c. 241 §1 [CCEO c.342] (cf. also CIC cc. 247 and 277 [CCEO cc. 355, 373, 374]).

1901.2 Competent Authority:

A. For Dismissing Postulants:

The (Vice-)provincial Superior after hearing his ordinary council, and the formator concerned, can dismiss candidates (postulants) (DS L06).

B. For Dismissing Novices:

The (Vice-)provincial Superior with the consent of his ordinary council, and the Master of Novices, can dismiss novices (DS M08).

1901.3 Manner:

If someone is found not suitable to living the Redemptorist vocation, they should be told in good time, so that they can withdraw from our life, and with full awareness of their Christian vocation, be helped to enter readily another form of life in service of the Church for which they are more suitable (cf. St. 054).

**1902 Dismissal by the Law Itself or *Ipso iure* Dismissal (CIC c. 694 [CCEO cc. 497, 551])**

There are certain actions for which a confrère is automatically dismissed by the law of the Church itself. These are called *ipso iure* (by the law itself) dismissals. This holds for all members whether perpetually or temporarily professed, ordained or non-ordained.

1902.1 The two actions that Canon Law specifically names are:

1. Defecting notoriously from the Catholic faith
2. Contracting or attempting to contract marriage even only civilly.

Since these actions automatically bring with them very severe penalties, they must be interpreted very strictly. The major superior must be certain that these actions have, in fact, been committed by the confrère. There must be clear proof of these actions.

For example, notoriously defecting from the Catholic faith does not mean just disagreeing with or criticizing the Church. An example would be that of a religious who has in fact joined another Christian or non-Christian faith community, consistently substituting that community's public worship for that of the Catholic Church. He perhaps has begun studies for official ministry in such a community.

1902.2 Consequences:

All the person's rights and obligations in the Congregation cease (including his religious vows), as do all obligations in justice on the part of the Congregation toward him.

Other penalties which may be involved in notoriously abandoning the faith are given in CIC c. 1364 [CCEO cc. 1436, 1437].

Along with the penalty of *ipso iure* dismissal from the Congregation, a cleric who attempts marriage incurs an automatic suspension; a confrère in perpetual vows who is not a cleric when attempting marriage, incurs an automatic interdict (CIC c. 1394 [CCEO c. 1453 §§2 and 3]). Either attempted marriage is invalid (CIC cc. 1087 and 1088 [CCEO cc. 804, 805]).

1902.3 Competence:

Since this penalty is automatic, the only actions for the superior are to find and obtain proof of the action leading to the dismissal and to declare the dismissal so that it can be legally established. This is the responsibility of the (Vice-)provincial Superior "with his council" (CIC

c.694, §2 [CCEO c. 1453 §§2-3]).

#### 1902.4 Procedure:

The (Vice-)provincial Superior should gather the necessary evidence of the fact which should be examined "without delay" by him and his ordinary council (CIC c. 694, §2). In the case of abandoning the faith, there must be evidence that it is public and also that it was a true abandonment of the Catholic faith (cf. 1902.1).

If the person contracted or attempted to contract even a civil marriage, proof is needed. An official copy of the marriage certificate is best. If this is not possible, the signed and dated testimony of two witnesses, who affirm that they were present at the marriage ceremony and give the date and place of such a ceremony. The third possibility is a signed and dated statement by the member himself affirming that he did in fact enter into a marriage, giving the date and place of the marriage.

Since the dismissal is automatic, the person ceases to be a Redemptorist at the time of his wedding or attempted wedding or abandoning the Catholic faith.

When the superior and his council agree that the evidence is clear, he issues a declaration of the fact signed by himself and his ordinary consultors, using the form found in the *Supplement to the Directory of Superiors* [online] Part I; Separation from the Congregation, Form 18. A copy of this declaration together with copies of the evidence should be sent to the General Government. The declaration and evidence should also be preserved in the (vice-)provincial archives.

There is no legal obligation to issue warnings before making the declaration of dismissal, or to inform the person of this declaration. However, where possible, the person should be informed of the declaration and be offered help to obtain canonical laicization.

## 1903. Dismissal by Decree

There are some delicts (violations of the law to which a sanction is attached) for which the law requires dismissal. There is no choice. If a confrère commits one of these delicts he **MUST** be dismissed. These are called 'Mandatory or Prescriptive Dismissals' (CIC c. 695). There are also certain delicts defined in law for which the member **MAY** be dismissed, but it is not mandatory. These are called 'facultative dismissals' (CIC c. 696 [CCEO cc. 500, 501]).

The difference between these dismissals by decree and the *ipso iure* dismissal is that the dismissal by decree is decided by the Superior General and his council voting collegially and in a secret ballot. The dismissal must then be confirmed by the Holy See before it becomes effective. The *ipso iure* dismissal, on the other hand, is produced by the law itself. The dismissal by decree requires a juridic process before it can be issued, while the *ipso iure* dismissal does not. The action of the superior in the latter case is merely a notification that the member has been dismissed by the law itself for having committed one of the stated infractions.

### 1903.1 Mandatory Dismissal by Decree

Reasons:

**By law** a member must be dismissed for the following crimes as defined in the respective canons mentioned:

1. Homicide, kidnapping, mutilation or serious wounding of a person (CIC cc. 695, §1; 1397 [CCEO cc. 1450 §1, 1451]);
2. Procuring a completed abortion (CIC cc. 695, §1; 1398 [CCEO c. 450 §2]);
3. Living in concubinage or persisting with scandal in another external sin against the sixth commandment (CIC cc. 695, §1; 1395 §1 [CCEO c.1453

§1]).

4. Committing in another way an offense against the sixth commandment if the offense was done using force or threats or publicly or
5. with a minor below the age of 18 years of age or with a person who habitually lacks use of reason (CIC c.1395 §2; [cf. CCEO c.1453, §1]; SST art.6, §§1-2).

CIC c. 695 §1 allows some discretion for religious in the situations mentioned in # 4 but not when the delict involves a minor. CIC c. 695 §1 allows the superior to decide that dismissal is not necessary and that correction of the member, restitution of justice and reparation of scandal can be achieved in another way.

The discretion allowed in CIC c. 695 §1 is related to offenses mentioned in #4 above. These include certain occasional, non-habitual sexual delicts which are especially serious if they are done publicly, or with force or with threats.

**NOTE:** The procedure for dealing with accusations and violations of the sixth commandment **with a minor under the age of 18 years** is regulated by special norms issued by the Congregation for the Doctrine of the Faith. These will be discussed in **Chapter X** of this directory.

#### 1903.2 Facultative (**Non mandatory**) Dismissal by Decree

Reasons:

Perpetually professed confrères can be dismissed for other causes which are grave, external, imputable and juridically proven. Examples given in CIC c. 696 §1 are:

1. Habitual neglect of the obligations of consecrated life
2. Repeated violations of the sacred bonds
3. Obstinate disobedience to lawful prescriptions of superiors in a serious matter

4. Grave scandal arising from the culpable behavior of the member
5. Upholding or spreading doctrines condemned by the magisterium
6. Upholding doctrines promoting materialism or atheism
7. Illegitimate absence lasting longer than six months

This canon lists only examples and the list is not intended to be complete. (Vice-)provincial law could also name other causes of similar weight which would be grounds for dismissal. [cf. CCEO c. 500].

Temporarily professed confrères can be dismissed for the reasons given in 1903.2 above as well as for lesser faults, provided these latter are named in (vice-)provincial law (CIC c. 696 §2 [CCEO c. 499]).

The CC and SS of the Congregation do not add any other specific causes for dismissal.

#### 1903.3 Consequences:

All the person's rights and obligations in the Congregation cease (including his religious vows), as do all obligations in justice on the part of the Congregation toward him (CIC cc. 701, 702 [CCEO c. 502]). If the dismissed person is truly in need because of the penalty, "the Ordinary is to provide in the best manner possible" (CIC c. 1350 §2). A cleric cannot exercise his orders unless he finds a benevolent bishop who will incardinate him into his diocese or at least give him faculties to exercise sacred orders (CIC c. 701 [CCEO c. 494]). Depending on the crime, there may be other penalties from Canon Law such as suspensions, or interdicts, or impediments for which the benevolent bishop must seek removal.

#### 1903.4 Competence:

The Superior General acting collegially with his council according to the norms of CIC c. 699 §1 [CCEO c. 500 §1] can dismiss a member by decree (DS E28). A decree of dismissal must be confirmed by the Holy See before it takes effect (CIC c. 700 [CCEO c. 500 §4]).

#### 1903.5 Procedure

##### A. In all these Cases of Dismissal:

1. The confrère always retains the right to communicate with the Superior General and offer his defense to him (CIC c. 698). The (Vice-)provincial Superior should ensure that the member is aware of this right from the very beginning. Invoking this right does not excuse the confrère from responding to the admonitions of the (Vice-)provincial Superior (IRNC, pp. 368-369).
2. If the confrère's defense is not made in writing and signed by him personally, it can be made orally to the superior but must be recorded in writing and the record signed by the member, the superior, a notary and two witnesses. If the confrère refuses to sign, two witnesses must testify to this in writing with their signatures (DA 1980, p. 120).
3. When the dismissal is confirmed by the Holy See, the decree is sent to the (Vice-)provincial Superior who must then communicate it to the member. The person has ten days after receiving notice of the decree to appeal; an appeal has suspensive effect on the decree (CIC c. 700 [CCEO c. 501 §§2 and 4]).
4. All notices to the confrère which are sent through the mail should be sent with registration and verification of delivery. Notices delivered personally by the superior in writing or orally must be done before two witnesses who testify in writing to the notification.

B. For the Cases in DS 1903.1

1. The (Vice-)provincial Superior must collect the proofs of the facts and imputability. He must make known to the confrère the accusation and the proofs, giving him the opportunity of self-defense (CIC c. 695 §2 [CCEO c. 501 §4]). The defense should be in writing and signed by the religious. If it is not made in writing, see 1903.5 A2 above.
2. If the accused does not offer a defense, or if the defense is not judged adequate by the (Vice-) provincial Superior, *all* the documents and acts should be signed by the superior and a notary and submitted to the Superior General. Likewise, the written and signed defense of the accused confrère is to be submitted (*ibid.*).
3. Cf. above "A. In All These Cases of Dismissal".

C. In other cases: DS 1903.2

The process should not be begun until the person has been notified of the cause by the (Vice-) provincial Superior and has been given opportunity to remove it, if this is possible. Such notices should be in writing or before two witnesses and should make clear that the offense is considered cause for dismissal. It must also be clear that the confrère has had the opportunity to defend himself to the competent superior. (Note: These are NOT the canonical warnings. They are notices so that the person has the opportunity of ceasing the illicit behavior so that a dismissal becomes unnecessary).

D. Dismissal by Decree for an Illegitimate Absence lasting longer than six months: DS 1903.2 7

This is probably the most common category of

dismissal. Often members have drifted away from community life and their status has never been clarified. Some have been gone for so long that their current whereabouts are unknown. It is important to clarify their canonical status and juridically confirm their decision to leave the Congregation

FOR A DETAILED EXPLANATION OF THE PROCEDURE AND SAMPLE FORMS, REFER TO PART III OF THE SUPPLEMENT TO THIS DIRECTORY FOUND ONLINE.

#### **1904. Very Urgent Cases: Expulsion from Religious House**

CIC c.703 [**CCEO c.551 + cc. 497, 498**] allows that in cases of serious external scandal or very grave imminent harm to the Institute a member can be expelled from the religious house.

This can be done by the (Vice-)provincial Superior acting alone (DS K20).

If there is danger in the delay needed to reach the (Vice-) Provincial Superior, the local superior with the consent of his council can expel the member (DS R14).

Then a process of dismissal should be begun or the matter brought to the Superior General to see if it should be referred to the Holy See.

## Chapter IX. LOSS OF THE CLERICAL STATE (LAICIZATION)

2000: LOSS OF THE CLERICAL STATE (LAICIZATION)

### 2001. Meaning:

The Loss of the Clerical State, or as it is commonly known, laicization, was once called “the reduction to the lay state”. However, this term implied that the lay state was ‘inferior’ to the clerical state, which Vatican II rejected. Therefore “reduction to the lay state” is no longer used.

The loss of the clerical state does not mean that a person is no longer a priest or a deacon. The power of ordination can never be lost. When a person is ordained a deacon, he acquired a new ‘juridical’ or legal status in the Church: that of being a cleric with the right to lawfully exercise the power of orders he possesses. When a person loses the clerical state, he loses with it the right to exercise his power of orders. He can no longer legally function as a deacon or a priest.

The obligation of clerical celibacy is something linked to the clerical state, but separate and apart from it. A cleric, other than a married deacon, must request a dispensation also from clerical celibacy in addition to petitioning for the loss of the clerical state. The two petitions are normally submitted together, but they are two separate favors the person is asking the Holy Father to grant.

2001.1 Reasons: (CIC c. 290, 3<sup>o</sup> [CCEO c. 394, 3<sup>o</sup>])

1. For deacons: the canon requires “grave causes”.
2. For priests: the canon requires “most grave causes”.

2001.2 Consequences:

All rights and obligations in the Congregation cease as well as all obligations in justice on the part of the Congregation toward the person, although it may be called upon in charity to assist him (C. 148; cf. CIC c. 1350, §1 [CCEO c. 1410]).

All his rights and obligations as a cleric also cease as well as the obligation of clerical celibacy if it is petitioned for and granted, as well as all clerical offices, functions or delegated powers. He is prohibited from exercising his orders (CIC c. 292 [CCEO c. 395]), except for a priest assisting someone in the proximate danger of death (CIC c. 976 [CCEO cc. 725, 735 §2]).

2001.3 Competence:

The dispensation is granted only by the Holy Father. At present, the Congregation for the Clergy has jurisdiction over this type of petition. The request must first be approved by the Superior General with the consent of his council (DS D35).

**2002. Procedure for a Deacon (either permanent or transitional)**

The following items are to be sent to the Superior General to be considered for forwarding to the Holy See:

1. An *explicit request by the Deacon* for the favor, signed in his own hand and addressed to the Holy Father, giving a brief description of the reasons which led to the petition.
  - a. The request **MUST** specifically request the “loss of the clerical state with a dispensation from all the obligations of ordination, from celibacy and from the vows and obligations of religious life.” The request must clearly state what is being requested.
  - b. The request must contain the major facts and

reasons upon which the petitioner is basing his request.

- c. The request must be dated and it must be signed by the petitioner himself.

## 2. A Curriculum Vitae

- a. The *curriculum vitae* of the petitioner should include an explanation of the seriousness of the reasons for the request, the development of events which led to the crisis, and where the responsibility for the same lies, i.e. either with the deacon or due to external factors. The CV should include full name, date and place of birth, dates of first profession, final profession and ordination.

3. The *votum of the Provincial Superior and in the case of a petitioner from a vice-province or region, the votum of both major superiors concerning "de rei veritate"* and the advisability of granting a return to the lay state and a dispensation from the obligations of Holy Orders. The Superior General will add his *votum* and express the consent of his council.
4. The *testimonies or depositions* of superiors, professors and colleagues from the time of formation and the period of diaconal ministry.
5. The *acts from the (vice-)provincial archives* regarding the period of formation and the *scrutinia* for his admission to sacred orders, psychological and medical reports, etc. (CIC c. 1051 [cf. CCEO c. 769 §1, 4<sup>o</sup>-6<sup>o</sup>]).
6. Renunciation of active and passive voice in the Congregation. (Use Form 17.5, found in the *Supplement to the Directory of Superiors* [online] Part I; Renunciation of the Right to Vote). A copy of this document signed by the petitioner and the notary is kept by the (vice-)province and the original is sent to the Superi-

or General with the documentation. If the petitioner has previously been declared illegitimately absent or dismissed from the Congregation, this document may be skipped.

7. Copies of any other processes the petitioner has undergone: absences, excommunications, etc.
8. A letter from the bishop of the place where the deacon is now living, which states that the bishop does not expect scandal to be given by granting a dispensation from clerical celibacy.

When the dispensation is given, notice will be sent to the (Vice-)provincial Superior who is to convey it to the petitioner.

2003. Loss of Clerical State (Laicization) of a Priest.

2003.1 Procedure for a priest

NOTE: The priest may petition for the loss of the clerical state AND a dispensation from the obligations of clerical celibacy, or he may petition only for the loss of the clerical state and not include a dispensation from clerical celibacy. This is a very important distinction and must be CLEARLY made in the petitioner's letter to the Holy Father and in his response to the questions regarding what it is he is seeking (cf. DS 2003. 2, 8 below). However, the Holy See at times grants the dispensation from celibacy even if it is not requested.

2003.2 Documentation

The following documentation is required:

1. Letter of the priest addressed to the Holy Father and personally signed and dated by the petitioner humbly petitioning the dispensation from all the obligations of sacred orders and from priestly celibacy.
2. Curriculum vitae of the petitioner.

3. A statement by the (Vice-)provincial Superior about every pastoral attempt to dissuade the petitioner from making this petition. Proofs of these pastoral attempts, times, dates, etc.
4. A document suspending the petitioner from the exercise of sacred ministry.
5. Renunciation of active and passive voice. (Form 17.5)
6. A decree nominating the instructor.
7. A decree nominating the notary.
8. Interview of the petitioner under oath.
9. Interview or depositions of at least two witnesses.
10. Testimony that might be obtained from physicians, psychologists, etc. with the written permission of the petitioner to share such information
11. A copy of the *scrutinia* of those responsible for his admission to Holy Orders.
12. Personal *votum* of the instructor on the merits of the case.
13. Personal *votum* of the major superior whether it is opportune to grant the petition and that there will be no scandal taken if the dispensation is given. Letter to the Superior General with the seal of the unit.
14. Personal *votum* from the bishop of the place of petitioner's residence assuring that no scandal will be taken if the dispensation is given.
15. "Official copy" of certificates of civil marriage, nullity of marriage, divorce, children's birth certificates, etc.
16. Copies of prior processes: leave of absence, ex-claustration, dismissal, etc.
17. Declaration of the canonical status of the civil law wife, or cohabitating woman he intends to marry.
18. An INDEX of the contents of the documentation.

FOR A DETAILED EXPLANATION OF THE PROCEDURE AND SAMPLE FORMS, REFER TO PART III OF THE SUPPLEMENT TO THIS DIRECTORY FOUND ONLINE.

## Chapter X. More Grave Crimes against the Faith, the Sacraments, and Morals

2100: Graviora Delicta (More Grave Crimes)

### 2101. Meaning:

On April 30, 2001, His Holiness Pope John Paul II, promulgated an Apostolic Letter entitled *Sacramentorum sanctitatis tutela* (SST) in the form of a *motu proprio*, in which he established both substantive and procedural law regarding more grave delicts (*graviora delicta*) against the sanctity of the sacraments and violations of the sixth commandment. The Substantive and Procedural Norms given in 2001 were revised on May 21, 2010. These revised norms are the basis for the procedure followed by the Congregation for the Doctrine of the Faith (CDF) regarding these violations.

Following the process outlined in these norms is not optional. It often has lasting and serious consequences for the accused. The major superior following the correct procedure often can determine whether the accused continues his life as a Redemptorist and as a functioning priest. Therefore it is very important that the major superior be familiar with the law and practice regarding these areas.

The more grave delicts that Redemptorist superiors most commonly deal with are those against the sacraments (Eucharist and Reconciliation) and against morals with minors.

**NOTE:** All provinces, vice-provinces and regions of the Congregation are required to have “a policy for the safeguarding of minors and vulnerable adults, as well as a protocol for dealing with allegations when they are raised” (Decision 28, XXV Gen. Chapter, 2016).

**2102. The delicts (crimes) against the Eucharist and Reconciliation that are reserved to the CDF**

A. The Delicts against the Eucharist reserved to the CDF (SST art. 3) are:

1. Profanation of the Eucharist, i.e. “The taking or retaining for a sacrilegious purpose or the throwing away of the Consecrated Species.” In 1999 the Vatican defined “throwing away” as “to scorn, disdain or demean”. This includes any action that makes the Sacred Species the object of any external, voluntary and serious act of contempt.
2. The attempted celebration of the Eucharist by a person who is not an ordained priest.
3. The simulation or pretended celebration of the Eucharistic sacrifice.
4. The concelebration of the Eucharist with ministers of ecclesial communities which do not have apostolic succession and do not acknowledge the sacramental dignity of priestly ordination.
5. The consecration for a sacrilegious purpose of one matter without the other or even of both, either within or outside of the Eucharistic celebration.

B. The Delicts against the Sacrament of Reconciliation (SST art. 4) are:

1. The absolution of an accomplice in a sin against the sixth commandment.
2. The attempted sacramental absolution or the prohibited hearing of confession.
3. The simulation of sacramental absolution
4. The solicitation to a sin against the sixth commandment with the confessor himself.
5. The direct or indirect violation of the seal of confes-

- sion.
- a. A direct violation is one in which the penitent's identity becomes known or may readily become known, i.e. from the circumstances described or by implication. The penitent and the sin are easily known from the confessor's deliberate revealing of such information.
  - b. An indirect violation is one where there is only a danger that the penitent's identity and the sin will be revealed
6. The recording, by whatever technical means, or in the malicious diffusion through communications media, of what is said in sacramental confession, whether true or false, by the confessor or the penitent.

### 2103. The Delicts against Morals reserved to the CDF

NOTE: Only delicts against the sixth commandment with a minor under the age of 18 are reserved to the CDF. A person who habitually lacks the use of reason is considered to be equivalent to a minor regardless of his or her chronological age.

The following are the more grave delicts against morals reserved to the CDF (SST art. 6):

1. **Direct Abuse.** This is direct inappropriate sexual contact with a minor below 18 years of age.
2. **Indirect Abuse.** These are actions which are sexually suggestive such as showing pornography to minors or showing oneself nude to minors, etc.
3. The acquisition, possession, or distribution, by whatever means or using whatever technology, by a cleric, of pornographic images of minors under the **age of fourteen**, *for purposes of sexual gratification.*

## **2104. The Accusation**

### **WHAT DO I DO IF I RECEIVE AN ACCUSATION AGAINST A MEMBER OF MY UNIT?**

- a) If I am a local superior or a confrère, I promptly inform the major superior of the accusation made, giving the name of the accused confrère, the name of the person making the accusation and his/her contact details.
- b) If I am the major superior, I take the following steps:

#### **1. DETERMINE WHETHER THE ACCUSATION IS CREDIBLE.**

##### **A. What does Canon Law mean by a “credible accusation”?**

The bar is set very low. There only has to be a “semblance of the truth”. The slightest possibility that it might be true will suffice. In practice, it means that there must be an obvious impossibility of the accusation being true, or the credibility of the accuser must be so damaged that he/she cannot possibly be believed. For example, if the cleric was in the hospital in surgery at the time the alleged delict happened, there is no semblance of the truth.

##### **B. What do I do if the accusation does not meet this standard?**

If it is beyond doubt that the accusation cannot possibly be true or it is obviously frivolous, the superior declares it so in a decree and closes the process. The whole canonical matter ends right there. It need not be reported to CDF. No further action is required.

##### **C. What do I do if the accusation meets the standard of “having a semblance of the truth”?**

Go to #2.

**2. ISSUE A DECREE OPENING A PRELIMINARY INVESTIGATION.**

**A. What is the Preliminary Investigation?**

The purpose of the preliminary investigation is not to determine guilt or innocence. It is to gather specific information about the accusation and the accuser. The facts, what exactly happened, what is the exact accusation, when, where, etc. It is meant to provide additional information to the major superior to help him determine if the accusation is in fact credible. If the accusation is credible, then it also helps the CDF determine the facts, circumstances and canonical imputability of the alleged delict.

**B. Carefully and fully follow all the civil laws regarding any accusation of inappropriate sexual behavior with a minor or vulnerable person.**

The laws regarding accusations in this area vary widely in different countries, provinces and states. Be especially attentive to any laws regarding the legal obligation to report any accusation in this area to the civil law enforcement authorities. In some civil jurisdictions it is a crime not to report any accusation. If you are not familiar with your local laws, please consult an attorney.

**C. What about Civil Proceedings?**

Although technically civil proceedings are completely separate from canonical proceedings, the two are somewhat inter-related. In some jurisdictions, because of civil laws, interviews with the parties of the case or witnesses, etc. are barred by law, or by sound civil law advice. This makes it very difficult to properly complete the preliminary investigation.

However, the civil investigation may uncover much of the evidence and facts that may be used in the ca-

nonical investigation.

The CDF prefers to wait until the civil proceedings are adjudicated before proceeding with the canonical determinations. In cases where there are civil proceedings the CDF asks for copies of indictments, sentences, court records, psychological evaluations, incarceration reports, settlements, etc.

### 3. ADVISE THE ACCUSED CLERIC.

In a very confidential manner, preferably in person if possible, advise the accused that a credible accusation of his having committed a *delictum graviorus* (serious delict) has been received.

- A. Explain to him the nature of the accusation.
- B. Advise him that under canon law **you are obligated** to conduct an investigation not to determine whether he is innocent or guilty of the accusation, but rather to gather information regarding the nature and facts of the accusation, the circumstances and the degree of his responsibility for the offense.
- C. Advise him that, if the accusation is found to be credible, **you are obligated** to turn the entire matter, including the results and proofs from the investigation, to the CDF. Once that is done, let him know that the CDF will determine every further step of the process.
- D. Advise and encourage him to obtain a canonical advocate. This canonical advocate should not be the same person representing the (vice)province. It is equally important that the accused obtain a civil advocate. This person should not be the same as the civil advocate for the (vice-)province. The expenses for canonical and civil advocacy should be paid for by the (vice-)province.

**NOTE:** KEEP IN MIND THAT IF THE ACCUSATION REGARDS THE SACRAMENT OF PENANCE, THE NAME OF THE ACCUSER CANNOT BE REVEALED.

**4. PRECAUTIONARY MEASURES**

Once the decree opening the preliminary investigation has been signed, the major superior can impose precautionary measures on the accused. These can range from a prohibition of having any contact with minors or with the one making the accusation, not celebrating Mass in public, a residence or travel restriction, or whatever the major superior deems necessary and just, without damaging the reputation of the accused.

Although, it has become standard practice to impose an 'administrative leave' and in some cases it is mandated by civil law, this should be done with the greatest concern for the protection of the reputation of the accused cleric (cf. CIC c. 1722 [CCEO c. 1473]).

**5. ISSUE A DECREE CLOSING THE PRELIMINARY INVESTIGATION**

Before issuing the decree, the major superior will make sure that all the available and necessary statements from the alleged victim(s), the accused, witnesses, legal documents, etc. have been gathered.

**6. THE *VOTUM* OF THE MAJOR SUPERIOR AND HIS COUNCIL**

At the conclusion of the preliminary investigation, the major superior is to give in writing his own *votum* (opinion) and that of his council. These will normally be in agreement and can be expressed by the major superior in a statement such as: "After

having diligently studied the findings of the Preliminary Investigation in the case of Father XXX, it is my opinion and that of my council that ...”

The *votum* should include, in addition to your opinion regarding the possible guilt or innocence of the accused, a recommendation as to what penal measures should be imposed if any are warranted.

**7. SUBMIT THE ACTA OF THE PRELIMINARY INVESTIGATION TO THE SUPERIOR GENERAL.**

A. The *Acta* (all the documentation) of the preliminary investigation must be submitted to the Superior General together with the *votum* of the major superior and his council. THE CDF GIVES GREAT WEIGHT TO THE *VOTUM*.

B. The major superior should write a cover letter addressed to Father General briefly indicating the facts of the case.

C. The *Acta* should be sent in the original, always keeping a copy for your unit archives. The *Acta* should include an index of the documentation included and should NOT be permanently bound or stapled in any way.

**8. SUBMISSION OF THE ACTA TO THE CDF**

A. Once the *Acta* are received by the Superior General, the major superior will receive an acknowledgement of receipt either from Father General himself or from the Procurator General.

B. The *Acta* will first be studied by the Superior General and his council. They will then meet in council to decide by absolute majority vote on the merits of the case and the procedure they wish to recommend to the Congregation for the Doctrine of the Faith.

- C. Once the *Acta* are sent to the CDF the case is out of the hands of the major superior, unless additional documentation or modifications in the documentation sent are requested. The CDF will normally communicate directly with the Father General. The CDF will determine the procedure to be followed and the measures to be taken.

## 9. RESOLUTION OF THE CASE

- A. The CDF will choose one of three possible procedures:
  - 1. The Congregation will make its own decision about the imputability of the accused and decide what penalty to impose, if one is warranted.
  - 2. The CDF may decide to present the case directly to the Holy Father for a *dismissal ex officio*. This is reserved for particularly grave cases in which the guilt of the cleric is beyond doubt and well documented. There is no appeal or recourse against the decision of the Holy Father.
  - 3. The CDF will instruct the Superior General to proceed with a penal administrative process, in which two assessors are nominated by him to study the *acta* and express a *votum* (opinion) on the merits of the case and the measures to be taken by the Superior General. If the cleric is found guilty of the delict and the Superior General decides that the case merits the imposition of a perpetual penalty, he must refer his decision to the CDF, which will, in turn, decide to impose the penalty or not. If it is decided that the appropriate penalty is dismissal from the clerical state and from the Congregation, the CDF will dismiss the accused from the clerical state and instruct the Superior General to dismiss him from the Congregation. Against such a decision recourse

may be made to the cardinal and bishop members in ordinary session of the CDF, commonly known by the name *Feria Quarta*.

FOR A DETAILED EXPLANATION OF THE PROCEDURE AND SAMPLE FORMS, REFER TO PART III OF THE SUPPLEMENT TO THIS DIRECTORY FOUND ONLINE.

**PART III**  
**DOCUMENTS**



**Document 1**  
**Matters Requiring the Opinion of**  
**Absent Members of the General Council<sup>1</sup>**

The following matters, which are to be reaffirmed or revised by decree of the General Council every sexennium, require that the opinion of absent General Consultors be sought by some suitable means, prior to the decision being taken (cf. St. 0126-a). The members of the General Council present for the discussion are to be appraised of the opinions presented by absent consultors, except in cases which by law are subject to secrecy (cf. Can. 172 §1, 2°; St. 0110-b).

In matters requiring deliberative vote of the General Consultors, these opinions have consultative value only (Can. 127 §1). The matter is to be decided by the majority vote of the consultors present for the discussion.

In matters requiring collegial vote by the General Council, the opinions are to be considered as votes on a par with the votes of those council members present for the discussion and to be computed in the number of votes required for a majority (cf. Can. 119).

The items for which the opinion of absent General Consultors is to be sought are:

- a. for the Superior General to convoke an extraordinary General Chapter (DS D01);
- b. for the General Council to collegially convoke an extraordinary General Chapter (DS E01);
- c. to postpone the celebration of a General Chapter (DS E02);
- d. to concede a dispensation according to the norm of C. 102-e (DS E08);
- e. to accept the resignation of the Superior General, the Vicar

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Reaffirmed by decision of the General Council, 18 December 2018  
(0000).

- General, or a General Consultor outside the time of a General Chapter (DS E23, DS E24, DS E25);
- f. to elect a Vicar General or a General Consultor outside the time of a General Chapter (DS E18, DS E19);
  - g. to designate the major officials of the Congregation (general procurator, econome, secretary or postulator), the superiors of houses directly subject to the General Government, and the director of the Higher College (DS D03, DS E21, DS E22);
  - h. to accept the resignation of the persons in g. above (DS D05, DS E26);
  - j. to erect, suppress or unite (vice-)provinces (DS E12).

## Document 2 Delegation of Privileges<sup>2</sup>

I, the Superior General of the Congregation of the Most Holy Redeemer, with the consent of my consultors, state that all the privileges which are granted to our Congregation in whatever manner, unless in the authentic document they are directly granted to an individual member, I hereby communicate to the (Vice-)provincial Superiors, together with the right to communicate them to members within their jurisdiction, either directly or through other superiors.

Reserved to the Superior General are those faculties derived from privileges listed as his alone in the first chapter of the first part of the Directory of Superiors and not delegated by the same first part of the Directory to other superiors.

Rome, 18 December 2018.

*Michael Brehl, C.Ss.R.*  
Michael Brehl, C.Ss.R.  
Superior General

*Brendan J. Kelly, C.Ss.R.*

Secretary General

*[Seal of the Congregation]*

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<sup>2</sup> DG 480/89. (Reaffirmed, December 18 2018)



**Document 3:  
Decree of Interpretation  
of General Statutes 0108-a and 0153-c**

Prot. No. 0000 311/89

The General Council  
of the Congregation  
of the Most Holy Redeemer

taking into consideration:

That the XX General Chapter was charged with revising the Constitutions and General Statutes of the Congregation in accord with the norms of the revised Code of Canon Law promulgated in 1983; and

That certain matters indicated by the Code were overlooked or have received new interpretations by the Holy See; and

That the practice of the Congregation may conform to the Code and/or make use of these interpretations;

**DECREES**

1. that General Statute 0153-c shall be interpreted to mean that the Provincial Superior with the consent of his extraordinary council shall be the competent superior to confirm the vicar of the Vice-provincial Superior, thus conforming this General Statute to the requirements of Canon 625 §3; and
2. that General Statute 0108-a be interpreted to read that in matters of consent, the superior does not vote with his council, but that should the vote result in a tie (*paritas*), the superior may break the tie, thus making use of an interpretation of Canon

127 by the Congregation for Religious and Secular Institutes on 25 November 1988; and

3. that these interpretations shall have the force of law in the Congregation until the General Chapter approves or revises them; and
4. that the official text of this decree is the Latin text.

Given in Rome, on 8 September 1989.

Juan M. Lasso de la Vega, C.Ss.R.  
Superior General

José Vidigal, C.Ss.R.  
General Secretary

*(Seal of the Congregation)*

**Document 4:**  
**Decree on Initial Formation**

Prot. N. 0000 117/2015

**DECISIONS OF THE GENERAL GOVERNMENT  
REGARDING INITIAL FORMATION**

**VOCATION PROMOTION**

The General Government establishes the second Sunday of November as an annual day for the promotion of the Redemptorist Missionary Vocation throughout the Congregation.  
Effective 2015.

**FORMATION PRIOR TO NOVITIATE**

The General Government mandates that before beginning novitiate, the candidate must have lived in a formation community and followed a formation program for at least two years.  
Effective 2016.

**NOVITIATE**

**1.** All novitiates will be Interprovincial Novitiates. Some of these Interprovincial Novitiates (proposed by the Conference and approved by the General Government) will be Conference Novitiates. Boards will be created among the units to direct the Interprovincial Novitiate. The Conference Coordinator will ordinarily be a member of the Board.

**2.** Every unit must participate in an Interprovincial Novitiate Board even if it does not have novices in an Interprovincial Novitiate.

Effective 2016.

**BROTHERS FORMATION**

The initial formation of Brothers must include a period of no less than three years after first profession in a formation program in a formation community.

Effective 2016.

**PASTORAL EXPERIENCE STAGE**

The General Government mandates that the Pastoral Experience Stage is part of initial formation for the entire Congregation. The Pastoral Experience Stage will be done during the period in which the confrère is in temporary vows and will be one continuous period of no less than six months.

Effective 2016.

### **PREPARATION FOR FINAL VOWS**

The preparation for perpetual profession will last for at least one month (GS. 075), in addition to the canonically required eight-day retreat. The program will be for those confrères who have discerned their commitment to the Congregation, applied for perpetual profession and have been accepted. In so far as possible, preparation for final vows must take place at a Conference level.

Effective 2016.

### **OTHER CONSIDERATIONS FOR INTERPROVINCIAL FORMATION**

The General Government recommends that at least one year of formation will be done outside of the unit of origin and in so far as possible outside of the country.

Effective 2016 for those beginning the formation process.

Given in Rome, on April 10, 2015.

*Michael Grell, C.S.R.*

Superior General

*Brendan J. Kelly, C.S.R.*

Secretary General

*Seal of the Congregation*

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To the Very Rev. Provincial Superiors,  
Vice-provincial Superiors  
and Regional Superiors

## PART IV: TABLES AND INDICES

**TABLE A:**  
**List of Latin Canons Cited in Text**

Can.	DS N°	Can.	DS N°
14	B03; D12; M01	87 §1	602
87 §2	B03; D12; M01	113 §2	701.2
115 §2	701.2;703.1 A	119	201.1; 202.3; 202.3 A IV; 204.3;
119-2°	202.3 B IV	120	703.1 G; 204.3; 206.2; Doc. 1
127 §1	202.2 A; 202 B	129 §1	101.2. C
134	101.2 D	134 §1	B03; 101.2. B
166	202.1 A; 207	172 §1-2°	205.1 A; Doc. 1
177	104	184 §1	104
187-189	104	189 §1	104.2 G, K & L
201-203	1004.3. A	202 §1	1004. 3. A
230	K05; L10	241 §1	1901.1 C
247	1901.1C	265	1201.3
274 §1	101.2 C & D	276 §1.3°	502.1
276 §2.3°	R04;	277	1901.1 C
285	604.2 B	286	604.2 B
290 3°	D35;2001.1	292	2001.2;
307 §3	R10	517 §1	803.1
520	P04	520 §1	801.1
520 §2	801.2; 802; 803.1	522	803.2
532	Art. V	537	Art V
540	Art. V	545	Art. VII. 9
581	E12; Q06	586	703.1 E

<b>Can.</b>	<b>DS N°</b>	<b>Can.</b>	<b>DS N°</b>
593	703.1 E	596 §2	101.2 C & D
608	701.1; 701.2;	609 §1	D13; P07; 702.1
610	D13	610 §2	703.1 D
611	703.1 E	612	702.1; 703.1 B, F
616 §1	D14; P09; 704	620	101.2 B & D
622	Part 1 Int; Art. A	624 §3	D11; P10; P11
625 §3	D08; D09; D10; G03; H01; 101.3	627	201.2
627 §2	202	629	K10
636 §1	902.3	638	D42; R13; 902.1
638 §1	L12; M18; P.20;	638 §1-§3	D38; 901.3 B
638 §2	902.3	638 §3	D38; D40; M18; P.20; 901.3 B; 904.2E 906.2 A
639	910	639 §5	907.2 A
640	909	641	M05; 1002
642	1901.1	643 §1	1007.1
643 §2	1007.2 B	644	1006.1; 1007.2 A
645 §1	1006.1	645 §2	1006.2 B
645 §3	1006.2 A	645 §4	1006.2 C
646	1001.1	647 §1	D19
647 §1-§3	1003.2	647 §2	D21
647 §3	L07	648 §1	1001.3; 1003.1; 1004.2 A & B
648 §2	L08; 1004.4	648 §3	1004.2 B
649 §1	1004.3 B	649 §2	K13; 1004.2 C; 1004.3 B & C
650 §1	D20	652 §5	P16; 1005
653 §1	M08; 1008.2	653 §2	M07; 1004.2 D; 1202.1 A

<b>Can.</b>	<b>DS N°</b>	<b>Can.</b>	<b>DS N°</b>
655	M09; 1102.2; 1202.1 B	656	1101.1 B; 1101.2; 1104. 2 A, B & C
656-3°	M06	657	1202.1 B
657 §1	L09; 1103.1; 1104.1	657 §2	M09; 1102.2
657 §3	M10; 1102.3; 1104.1; 1104.2 E	658	1104.2
665 §1	D26; M04; 1201.4; 1402.1; 1402.2	665 §2	1406
667 §1	K09; 705	668 §2	K17
668 §4	D44; M16	678	703.1 B
678 §1	702.2	678 §3	107..1
681	P04	681 §2	107.2
682 §2	106.2; 803.3	682 §1	106.1
684	1007.1 C; 1108; 1702; 1802	684 §1	D23; D28
684 §2	D24; 1201.2;	684 §4	D24
684 §5	D29; 1108.1; 1108.3	685 §1	D31; D32; 1108; 1602.2; 1602.4; 1603.2
686 §1	D32; D33; 1502.2; 1502.4 A & B	686 §3	D34; 1503
687	1500; 502.3	688	1901
688 §1	1202.1 A; 1601.2	688 §2	1651.2
689	L09	689 §1-§3	1103.2
689 §1	D25; K14; 1202.1 B	690	1202.1
691	1202.1	691 §1	D27; D30; D31; 1652.2; 1701.2; 1702.1;
692	1650;	693	D30; D31

<b>Can.</b>	<b>DS N°</b>	<b>Can.</b>	<b>DS N°</b>
694	1902	694 §2	2102.4; 2102.5
695 §1	2103.2 A; 2103.2 A.III	695 §2	1903.5
696	1903	696 §1	E28; 1903; 1903.2
696 §1-§2	1903.2	697	L14;
698	2103.5 A III; 1903.5 A	699 §1	E28; 205.1 B; 1903.4
700	E28; 1903.4; 1903.5 A	701	1903.3
702	E28; 1601.3; 1903.3	702 §1	1651.3
703	K20; L14; R14; 1904	765	R07
832	K19	833	108
833 §7	108. C & D	833 §8	102.5
902	501.2	905	501.3 A
911 §1	R08	919 §2	501.3 A
932	501.1	933	501.1
936	K07; L02; 101.1	951	K08; 501.3 B
951 §2	K08; 501.4D	969 §1	R09
969 §2	R01	1015	606.4
1017	606.4	1019	606.4
1019 §1	M14; 601.1 D	1021	606.4
1023	606.4	1025 §2	601.1 G
1026	601.A	1027	601.C
1028	601.C	1029	601.G
1030	601.K	1031	601.1 F; 601.2
1031 §1	601.1 E 601.2	1032	601.1 C; 601.2
1032 §2	K18; 601.1 E	1033	601.1 B
1034 §2	601.1 D	1035	L10; 906.2
1035 §2	601.1 E; 601.2 B	1036	606.1
1037	601.1 D	1039	K15; 601.1 H

<b>Can.</b>	<b>DS N°</b>	<b>Can.</b>	<b>DS N°</b>
1040	603	1041	604.1
1042	604.2	1044 §1	605.1
1044 §2	605.2	1046	603
1047 §1	604.3 A	1047 §2	604.3 B
1047 §4	K03; 604.3 B; 604.4 B; 605.3 B; 605.4	1049	603
1050-2°	601.1 E; 606.2	1050-3°	606.2
1051 §1	606.3	1053	606.6
1054	606.6	1087	1902.2
1088	1902.2	1174 §1	R04
1190	906.2 D	1196 §2	R05
1207	K06	1208	503
1209	503	1212	503
1214	503	1223	501.1; 503
1224	503	1229	503
1241	K06	1245	R02
1279	R11; 902.1	1279 §1	P19; 902.2; 902.5
1280-1284	902.3	1281 §1	901.2 B
1282	902.1	1285	909
1288	911	1291	906.2
1292 §1	D38	1292 §2	D40; 906.2
1295	906.1	1299-1310	M20
1308 §3	B05	1308 §4	B05
1308 §5	B05	1364	1902.2
1394	1902.2	1395	1903.1
1397	1903.1	1398	1903.1
1427 §1	K04	1427 §2	B04



**TABLE B:**  
**List of Oriental Canons cited in Text**

<i>Can. N°</i>	<i>DS N°</i>	<i>Can. N°</i>	<i>DS N°</i>
32	504.2	36	504.2
281	P04	282	P04; 801.1; 803.7
282 §2	201.2	284	P04
284 §2	803.2.	284 §3,4°	803.2
287 §2	803.1	296 §2	404, 4 and 5
303	P04	342	1901.1C
355	1901-1C	371 §2	101.2C
373	1901.1C	374	1901.1C
377	R04; 502.1	394,3°	D35; 2001.1
395	2001.2	398	1202.1
403 §2	K05; L10	415	703.1B
415 §§1& 3	702.2	415 §2	107.1
418 §1	101.2D	422 §1	202
423	L12;P20; R13; 701.2	428	M18
431 §1	106.1	432	504.1.2
437	D13; P07; 703.1B	437§2	702.1
437 §3	703.1F	437 §4	703.1E
446	K10	448	504.1.2; 1901.1B
450	504.1.2;1007.1	450.§1,2°.	1903.1
450 §1,4°-7°	1007.1; 1901.1A	452	504.1.2; 1007.2A
453 § 2	1901.1B	454	504.1.2
457	1004.2A and B	459 §2	P16
461 §1	M08; 1008.2	463	1101.2
468 §2	907.2	478	M04
493 §2	D25	494	1003.3
495	M04	497	1902; 1904
498	1904	499	1903.2
500	E28; 1903; 1903.2	500 §1	205.1B; 1903.4
500 §4	1903.4	502	1903..3
503 §2	1651.3	504-505	1403.4
508 §2	E12; Q06	509	703.1B
509 §1	702.1	509 §2	P07; 703.1 E & F
510	D14; P09; 704	511	101.2 C & D
<i>Can. N°</i>	<i>DS N°</i>	<i>Can. N°</i>	<i>DS N°</i>

514 §2	D11; P10; P11	515 §2	191.3 N
515 §3	D10; G03; H01	516	902.3
517	1001.1	517 §1	1901.1 A
517 §2	504.1.2	519	M05; 1002; 1006.1a
521	D19; 1003.2	522	1001.3; 1003.2
522 §1	D21	522 §2	L07
523	1004.2 A & B	523 §1	1003.1; 1004.3 B&C; 1005
524 §3	D20	526	1102.2;
526 § 2	M07; M09; 1103.1	527	1101.2;
527, 1°	1101.B; 1104.2C	527, 1°-3°	M06;1104.2
527 3°	1104.2B	529 §5	907.2; 910
530	K17	532	1104.2E
534,2°	D44; M16	537 §1	M14; 606.4
541	K09; 705	544	1108
544 §1	D23; D28;	544 §3	D29
544-545	1802	545	1108
545 §§1-2	D24	545 §3	1201
546	1601.2	546 § 1	1103.1
547 § 1	L09; 1103.2	547 § 2	1103.2
547 §3	1103.2	548	1500
548 §§1-2	1502.3	549	1500
549 §1	1502.2; 1502.4.A & B; 1652.2; 1702.1; 1702.2	549 §3	1650; 1702.2
550	1201.4; 1400; 1406; 1901.1A	551	K20; 1902; 1904
562 §3	L14	578 §3	R10
612	R07	632	L01
662 §2	K19	700 §2	501.2
705	501.1	707	501.1
708	R08	709	R08
709 §2	K05; L10;	714 §1	K07

<b>Can. N°</b>	<b>DS N°</b>	<b>Can. N°</b>	<b>DS N°</b>
714 §2	L02	723 §; 724 §2	R01; R09
725	2001.2	735 §2	2001.2
741 §1	K07	753	606
755	601.1K	756	601.1.A
758 §1, 1°	601.1.B &C	758 §1.2	601.1.G &H
758 §1,3°	601.1.E &F; 601.2.B	758 §1, 5	601.1.E
758 §1,6°	601.1.E	758 §2	601.1.G; 603
758-766	601.2	759 §1	601.2; 601.2.A
759 §2	602	760	K16; 601.2.C
761	606.1	762	603
762 §1, 1°-6°	604.1	762 § 1, 2°-4°	604.2; 604.3; 605.3
762 §1, 7°-8°	604.2; 605.3B; 605.4	762, §1, 8°	604.2B
763	605.1	763, 1°-3°	605.2
764	603	767, §§ 1- 2	K03; 604.3.A & B; 604.4B;605.3 & 4;
768	603	769 §1,1°- 3°	601.1E; 606.2
769, §1, 4°	606.3	772	K15
828 §2	504.3	869	503
871 §2	K06; 503	874 §4	K06
887	906.2D	888	906.2D
893 §1, 3°	R05	920	701.2
921	701.2	923	701.2; 703.1A
924,1°	204B	924, 1°-2°	202.1B
924, 3°	202.3	934	202
934 §1	202.1A; 202.2.A & B; 204.3	934 §2	202.1.B

<b>Can. N°</b>	<b>DS N°</b>	<b>Can. N°</b>	<b>DS N°</b>
936	101.1	948	202.1B; 207
954, 2°	205.1	956 §1	201.1
957	104.2	958-960	102.1
967	104.1	969	104.2.G & K
969	104.2.G & K	970	104.2.L
970 § 1	104.2.G &K	979 §1	101.2. C & D
984	B03; 101.2.B	984 §3	D12; M01; R05;101.2. C & D
990	105.4	996-1006	207
1022 §§1-2	R11	1023	P19;901.1; 902.2 & 5
1024	902.1	1024 §1-2	L12; M18; P20
1024 §2	901.3.B	1024- 1026	902.3
1029	909	1032	911
1036	D42; 906.2	1036 §1,3°	D38
1038	D38; D40	1040	906.2
1042	906.2	1043- 1054	M20
1052 §§3-4	B05	1052 §5	B05
1053	B05	1069 §1	B04; K04
1391 §1	804	1391 §2	106.2; 803.3
1410	2001.2	1436	1902.2
1437	1902.2	1450 §1	1903.1
1451	1903.1	1453 §1	1903.1
1473	2104.4	1496	B03; D12; M01
1538	B03; M01	1538 §1	602
1544-1545	1004.3.A		

**TABLE C:  
List of Constitutions and Statutes  
Cited in Text**

**Constitutions**

<b>CC.</b>	<b>DS N°</b>	<b>CC</b>	<b>DS N°</b>
15	802.	110	101.3 A.
17	E15.	114-a	101. 2 A.
21	701.1.	114-c	C01; D07.
22	701.1.	115-a	Art. A.
44	M02.	116-b	E23; 104.2.
45	M02.	117	E24; 101.3 A; 105.2.
45-3°	K09.	118	101.3 A; 201.1.
67	802.	119-1°	E05; 201.1
70	D44; M16.	119-2°	E06.
73-3°	R06.	119-3°	E07.
86-2°-a	1004.2.	120	E22; E27; 101. 3 C;
86-2°-c	1104.1; M05; M06.		902.3.
86-2°-d	M07; M08.	122	101.3 L.
86-2°-e	1102.2.	124-b	101. 2 B.
94	Art. A.	127	101.3 G; 105.3.
97-1°	E12.	130	E12; P I, Cap. II Int.
97-3°	E13.	135	D14.
99	701.1.	135	D14; P07; P09.
97-2°	E12.	137-b	N02.
101	207; 912.	140	105.4.
102-a	R03.	145	D27; D30; M12.
102-b	R03.	146	E28.
102-d	D12; G01.	148	1903.3; 1905.3; 2001.3
102-e	E08; Doc. 1.		2002.3; 2003.3.

## Statutes

03	P. I Int; P. II Int.	067	D20;P14.
028-b	502.2.	069	L08; 1004.4.
040	R01.	070	601.1 H1004.1 B;
041	M02.	072	1102.1.
051	1006.2 A.	073	D24.
054	2101.3.	074	M14.
061	L05	076	M13; 601.1 D.
062-a	K12; Form 09.	077	M06; 1101.3 A; Form.
062-b	M05; M06.		10
062-c	M07.	078	M06; 1101.3 B.
064	K12.	079	1106 & 1107.1;
065	M13; 1008.1.		1106; 1107.1.
066	P16; 1005.	081-a	D22; Q12; 1104.3.
083	E21.	0128	902.3.
083-b	D18.	0129	101.4 A; 1007.3.
086	202.	0130	D36; 902.3; 902.4;
087-089	E12.		903.1.
090	E13.	0131	902.3.
090	E14.	0140-d	P06; P07; P08; P09.
090	J04.	0140-e	903.2.
090	Q06.	0142	E09.
090	101.3 G, M & N; 104.2 G; 201.3.	0142	J03.
		0142	P. I, Cap. III int; 408.3.
091	D13; P07; 701.1.	0144	101.3 K & L.
091-a	701.4.	0146	L01.
091-b	701.2; 703.1 A.	0147	408.1.
092	701.1.	0149	P03.
095-a	102.1.	0151	101.3 K & L.
095-b	102.2; 102.3; 102.4; 102.5	0152-b-l	P02.
		0152-b-2	Q01.
095-c	102.5.	0153	D07; D08; 101.3 D & E.
095-d	103.1.	0153-b	J01.
095-f	102.6.	0153-c	H01.
095-g	K10.	0153-d	103.2.
097	103.1; 104.1 D;	0154	D08; D09; Q10; 104.
098	D11; P10.	0156	101.2 B.
099	D16; P11.	0157	B01; K01.

0100	Art. A; M03.	0158-a	201.2 B.
0108	204.3.	0158-b	101.3 J; 201.2.
0108-a	202.2.C.	0159	Q09.
0108-b	202.1 B.	0159-a	204.3.
0109	202.3 B.	0159-b	N01; 204.3.
0110-a	206.1 A.	0160	P. I, Cap.III int; 201.2B; 204.3.
0110-b	205.2; Doc. 1.		
0112	902.3.	0161	E11; Q04; Q05; 201.2B; 407.
0113	903.2; 903.3.		
0114	902.3.	0162	201.2 B.
0116-b	D02.	0163	D37; L13; 401;402.
0118-a	D01.	0164	M14; 101.3 P; 104.2 L.
0118-b	E01.	0165	104.1.
0119	E02.	0167	P14; 101.3 P.
0123	101.3 A.	0169-a	405.4; 101.3 P.
0123-a	E18.	0169-b	L11.
0123-b	E20.	0173	902.3; 903.2.
0124	101.3 A.	0174	D37.
0126	204.2.	0174-a	P18; 902.3; 903.2; 903.2
0126-a	Doc. 1.		
0127	C02; E22; 101.3 C.	0174-b	H04; 403.1; 903.2.
0175	E14; F01; P07; P09.	0192	903.2; 906.4 A.
0177	2103.5 C VII; 2103.6 D.	0193	L12; M18; P20; R13; 904.2 E.
0178	104.2 K.		
0178-a	101.2 C.	0193-a	D41; 904.2; 906.4 A; 907.2D
0178-b	D15; 101.3 M; 103.2.		
0178-c	105.4; 101.3 M.	0193-b	906.1.
0181	101.3 N; 104.2 K; 201.4.	0193-c	901.3 A.
		0194	905.
0186	D15; H02; 204.3; 702.1.	0195	H04; P17; 903.2.
		0196	Q13.
0187	410.	0197	903.2; 903.3.
0188	F02; H03.	0198	908.
0189	902.3.	0200	M20; R12.
0190	P19; 902.3.	0207	R11.
0191-a	D36.	0210	202.3 A.

0191-b	902.4.	0211	1402.2; 1403.
0191-b- I°	E30.		

## TOPICAL INDEX

### Additional Abbreviations:

<b>chap.</b>	<b>Chapter</b>	<b>govt.</b>	<b>government</b>
<b>comm.</b>	<b>community</b>	<b>int.</b>	<b>introduction</b>
<b>Cong.</b>	<b>Congregation</b>	<b>Sec.</b>	<b>Section</b>
<b>cons.</b>	<b>consultors</b>	<b>prov.</b>	<b>province (-cial)</b>
<b>coun.</b>	<b>council</b>	<b>vprov.</b>	<b>vice-province (-cial)</b>
<b>gen.</b>	<b>general</b>	<b>(v)prov.</b>	<b>(vice-)province (-cial)</b>

ABDICATION: (v. RESIGNATION)

ABSENCE:

- from house: D26; M04; 404.8; 1004.3; 1400; Part II, Chap. IV
- illegitimate: 404.9; 1406; 1903.2; 1903.5 D (v. DISMISSAL)
- notice to gen. govt.: 404.8; 1407

ABSENT CONSULTORS: Document 1 (v. CONSULTATION)

ACCEPTANCE OF MEMBER OF ANOTHER PROVINCE: H03

ADMINISTRATION OF GOODS: P19; R11; 704; 901-904; 912

- Manual for: 403.1; 903.2

ADMINISTRATOR: 704; 902; 903

ADMISSION: Part II, Chap. V

AGE: (v. DESIGNATION; DISPENSATION; IMPEDIMENTS; SUPERIOR)

AGREEMENT BETWEEN (VICE-)PROVINCES/REGIONS: E14; 101.3; 201.3 702.1

AID, FINANCIAL: D43

ALIENATION: D38; D40; D41; D42; M17; M18; P20; R13; 901.2; 901.3; 906; 913

ALPHONSIAN ACADEMY: C04; D36

ALPHONSUS, HOUSE OF SANT'ALFONSO IN ROME: (v. HOUSE)

APOSTOLATE: (v. PRIORITIES IN APOSTOLIC WORKS)

APOSTOLIC EXPERIENCE: LO8; 1004.4; 1104.3; Document 4

APPOINTMENT (v. DESIGNATION)

APPROVAL:

- in economic matters: D36; D37; D41; H05; P17; Q14; 903.2; 904.2; 906
- of superiors: J01
- regarding Chapter Decisions: 408.3
- regarding communities: D15; D16; H02; N02; T05
- regarding communities in the territory of another (vice)-

- province: 702.3
- regarding formation: D19; D20; D21; P15; Q12; 1005
- regarding Lay Missionaries of the Most Holy Redeemer: 1304
- regarding priorities: E15; T04
- regarding regions and vprov.: E13; E14; J04
- regarding statutes: E09; E10; J03

ARCHCONFRATERNITY: B06

ASSEMBLY: CONFERENCE: Art. T

ASSISTANTS: M15

ASSOCIATION WITH CONG.: Part II, Chap. V

ASSOCIATIONS: R10

ASSUMPTION

- of offices: M03

BINATION: 501.3

BLESSINGS: K06; 503

BREVIARY: (v. LITURGY; DISPENSATION)

BROTHERS: E04; Document 4

BUDGET: D36; H04; P17; 901.2; 903

BUSINESS, VOTING IN: 202.3

BUSINESS WITH GENERAL GOVERNMENT: Sec. 300

CANONS, TABLE OF CITED:

- Latin: Parte IV Table A
- Oriental: Part IV Table B

CHAPTER:

- general:
  - convocation: D01; E01
  - decrees: E05; E06
  - members: J02; 104.B; 409
  - postponement: E02
  - preparation: P01
  - reports: D02
  - representation: E03; E04; 409
- (vice-)provincial:
  - convocation: L01; P02; Q01; 408
  - legislation, actions: E11; E15; Q04
  - members: Q02; 101.3 L & M; 104.2
  - postponement: Q03
  - preparation: P03
  - acts, minutes, decisions: 408.1; 408.2; 408.3

**CHURCH:** (v. BLESSINGS; LITURGY; PREACHING)  
**CLOISTER:** (v. ENCLOSURE)  
**CLERIC:** D30; D35; 101.2; 203; 307; 604.2; 701.2; 701.3; 1006.2 1008.1  
 1202.1; 1503.1; 1503.2; 1602; 1603; 1905; 2000  
**CLERICAL STATE:** (v. LOSS OF CLERICAL STATE)  
**COLLEGIAL DECISIONS:** (v. VOTING)  
**COMMISSION:**

- of tellers: G02;
- preparatory for chapter: P01; P03

**COMMUNITY:** Sec. 700
 

- council: 201.5
- definition: 701.1
- dependent on gen. govt.: D17; D36
- establishment: D13; H02; P06; 406; 702
- personal: 701.4; 702.4
- plan of life: N03
- right ordering of: M02; N02
- suppression: P08; 704
- temporal goods: D36; P17; P19; 903.3

 (v. HOUSE; RESIDENCE; SUPERIOR)  
**COMMUTATION:** (v. DISPENSATION)  
**CONCELEBRATION:** 501.2; 501.4; 2102  
**CONFERENCE(S):**

- competencies: Art. S
- Meetings: 410

**CONFERENCE ASSEMBLY:**

- competencies: Art. T
- Meetings: 410

**CONFERENCE CALL:** 202.4  
**CONFERENCE COUNCIL:** 201.4  
**CONFESSIONS, HEARING OF:** R01; R09  
**CONFIRMATION:**

- of superiors: D08; D10; D16; G03; J01; 101.3; 102.1; 102.3;  
 103.3
- of vicars: D09; H01; 101.3; 405.1

**CONSENT:** (v. VOTING)  
**CONSTITUTIONS AND STATUTES, TABLE OF CITED:** Table C  
**CONSULTATION:** (v. SUBSTITUTE; VOTE)  
**CONSULTORS:**

- community: 101.3 P
- general: A01; A02; A03; Art. B; Art C; E19; E25
- Art F; Art K; Art L;

- (vice-)provincial: Q11; R12; R13; 101.3 J; 104.2 H; 202.1; 204.3
- (v. COUNCILS; SUBSTITUTE; VOTE)
- CONTENTIOUS CASES: B04; K04
- CONTRACTS: 910
- CONTRIBUTIONS, FINANCIAL: E30; Q13
- CONVOCATION: (v. CHAPTER)
- COORDINATOR(S) :
  - competencies : Art. U
  - tasks : Art. U
- COUNCILS: Sec 200.
  - Conference: 201.4
  - majorities: 206
  - membership: 203
  - recourse: 207
  - role: 202
  - secrecy: 205
  - substitution: 204
  - types: 201
- COUNSELLORS: (v. CONSULTORS)
- DEACON: K16; 108.B; 307; 502; 1502 (v. ORDERS, SACRED; 600)
- DEATH, NOTICE OF: 404.12
- DEBTS: D38; D41; D42; 907; 910; 913; 1007.2
- DECREES:
  - making: E07; Q05; T07
  - suspending: E06; E11
- DELEGATION: B01; K01; M12; M16; U05; Document 2
- DEPARTURE FROM INSTITUTE: (v. LEAVING THE INSTITUTE)
- DESIGNATION: Sec. 100; 405
  - by gen. govt.: C02; C03; D03; D04; D16; 101.3
  - documents of: 102.3
  - invalid: E17; Q07; 101.4
  - meaning: 101.1
  - of gen. govt.: 101.3 A
  - of members in comm. dependent on gen. govt.: D17; 101.3 C
  - of members of gen. chap.: 101.3 B
  - of notary of gen. chap.: C03
  - of officials of gen. Curia: C02; 101.3 C
  - of substitute for visitations: D07
  - of superiors: D03; D04; D05; 101.3; 405.3
  - of teachers and assistants: M15
  - of vicars: 101.3 G, H & M; 405.1

- requirements of age and status: 101.2
- to office in Cong.: 101

DETERMINATIONS IN COMMUNITIES: N02

DIMISSORIAL LETTERS: M14; 601.1 K; 606.4

DIOCESAN WORKS: P04

DIRECTOR OF THE COLLEGIO MAIUS: D17; E21; E26

DIRECTORS OF FORMATION: L11; 101.3 Q; 104.2 L; 405.4; 1101.3  
B

DISMISSAL: Part II, Chap. VIII; Section 1900

- by decree: E28; L14; 1900
- *ipso iure*: 404.10; 1900
- of novices: M05; 1008.2 1901.1
- of postulants: L06; 1901

(v. EXPULSION FROM THE HOUSE)

DISPENSATION:

- from Constitutions and Statutes: D12; E08; G01; M01; R03
- from Divine Office: R04; 502.2
- from impediments, irregularities, etc. to orders: K03; 602; 604.3; 605.3; 606.5
- from impediments to designation to office: 103.4
- from obligation of holy days and days of penance: R02
- from perpetual vows: D27; Sec. 1650; 1904
- from private vows: R05
- from temporary vows: D27; M12; Sec. 1650
- in general: B03; D12; M01

DIVINE OFFICE: (v. LITURGY)

DONATION: M19; 908; 909

DURATION OF OFFICE: (v. OFFICES)

ECONOME: (v. TREASURER)

ELECTIONS: 202.3 A; 205.1

- by gen. coun.: E18–E 22
- in (v)prov.: E16; G03; H01; J01; N01; Q08; Q09

ENCLOSURE: K10; 705

ERECTING: (v. HOUSE; REGION; (VICE-)PROVINCE)

EUCHARIST: (v. RESERVATION; VIATICUM)

EXCLAUSTRATION: D32 - D34; Sec. 1500

EXCLUSION FROM PROFESSION: (v. PROFESSION, RELIGIOUS)

EXPENSES, EXPENDITURES: B02; C05; D39; D41; D42; E29; L12;  
M18; P20; 207; 904; 912

EXPULSION FROM THE HOUSE: K20; R14; 1904 (v. DISMISSAL)

FACULTIES: (v. DELEGATION)  
FINANCIAL AID (v. AID, FINANCIAL)  
FINANCIAL STATEMENT: (v. REPORTS)  
FORMAL PRECEPT OF OBEDIENCE: R06  
FORMATION: (v. INSTITUTES OF FORMATION; PROGRAM)  
FREEDOM, DECLARATION OF BEFORE ORDINATION: 606.1

GATHERING OF COUNCIL: 202.4  
GIFT: (v. DONATION)  
GOOD NAME: K02  
*GRAVIORA DELICTA*: Sec. 2100

HOLY SEE: (v. SEE, APOSTOLIC)  
HOUSE: Sec. 700

- definition and conditions 701.2; 703.1
- erecting: D13; P07; 702.1; 703.1;
- of Sant'Alfonso in Rome: D36; E10
- suppression: D14; P09; 704; Forms 06.1–06.3

(v. ABSENCE; BLESSINGS; COMMUNITY; EXPULSION OF MEMBER; JUDGE; NOVITIATE; ORATORY; RESIDENCE)

IMPEDIMENTS TO ORDERS: K03; 603; 604; 605  
INCARDINATION: D30; D31; 404.11; 1504; Sec. 1700  
INSTITUTE, RELIGIOUS or SECULAR (v. DEPARTURE FROM INSTITUTE, Chap. VII: 1800; TRANSFER OF INSTITUTE)  
INTERPRETATION OF LAW: EO5; Q04; Doc. 3  
INTERVENTION IN ADMINISTRATION: P19; 902.5  
INVESTMENTS: 905  
IRREGULARITIES FOR ORDERS: K03; 601; 604; 605

JOINING OF (VICE-)PROVINCES: E12  
JUDGE: B04; K04  
JUVENATE: M15

LAICIZATION: (v. LOSS OF CLERICAL STATE)  
LAW SUITS: 911  
LAY:

- lay collaboration; T02
- Lay Missionary of the Most Holy Redeemer: (LMMHR): 1304

LEAVING THE INSTITUTE: D27 – D31; Part II, Chap. VII (v. RE ADMISSION)

LEGAL FORCE OF DIRECTORY: Letter of the Superior General, int.  
LIMITS, HIGHEST: D41; E02; 904.2; 906.1; 907.2; 912.1

LITURGY: Sec. 500

- Divine Office: R04; 502
- faculties to hear confessions: R01; R09
- Masses: K08; 501
- Eucharist: K07; 501
- Viaticum: R08

LOANS: 907

LOSS OF CLERICAL STATE: D35; Part II, Chap. IX, Sec. 2000

- by deacon: 2002
- by priest with dispensation from celibacy: 2003

MAJORITIES: 206

MANUSCRIPTS: M17

MASS: (v. LITURGY; MASS OBLIGATIONS, STIPENDS)

MASS OBLIGATIONS, STIPENDS: BO5; K08

MASTER OF NOVICES: (v. NOVITIATE)

MAXIMUM SUMS: (v. LIMITS, HIGHEST)

MINISTRIES: K05; L10

MODERATORS, FORMATION: (v. DIRECTORS OF FORMATION;  
FORMATION; NOVITIATE)

NOMINATION: (v. DESIGNATION)

NOTARY OF GENERAL CHAPTER: C03

NOVICE MASTER (v. NOVITIATE)

NOVITIATE: Sec. 1000

- admission: M05; 404.1; 1002
- assistant: M14
- beginning, ordering: K11; K12; 1004.1
- dismissal of novices: M08
- documentation: 1006;
- erecting and place: D19; D21; L07; 1003
- impediments: 1007
- interprovincial: 1001.4; 1002; Doc. 4
- member of Oriental Rite: 504.1
- program: D20; P16; 1005
- studies: P15; 1005
- suppression, moving: D19; 1003.2
- terminology: 1001
- time: K13; L08; M07; M09; 1004
- other points about novitiate: R01; R05; 1008

OATH OF FIDELITY: 102.5; 106.3; 108; 601.1  
OBLATES: B07; 1301; 1302  
OBLIGATIONS, ONEROUS: R12 903.3; 907.3 (v. MASS OBLIGATIONS, STIPENDS)  
OFFICE, DIVINE: (v. LITURGY)  
OFFICES: D10; E17; P11; Q07; Q11  
- duration of: 103  
- entrance into: 102;  
- outside Cong.: 106  
- replacement, transfer: D10; P10; P11; 103.1  
- requisites of age and status: 101.2  
- resignation of: Q10; Q11; 104  
- sanations of invalidity: E17; Q07  
OFFICIALS:  
- major of gen. Curia: E22; E26  
- minor of gen. Curia: C02  
- (vice-)provincial: M03  
ORATORIES: L02; R07; 501.1; 503 (v. BLESSINGS; LITURGY; PREACHING)  
ORDERS, SACRED: K16; 404.5; Sec. 600  
- dispensations: 602; 604; 605  
- documentation: M14; 606;  
- impediments, irregularities: 603; 604; 605  
- requisites: 601  
ORDINARY, SUPERIOR AS: 101.2 B & D  
ORIENTAL RITE: 504  
OVERSEEING: R11  
  
PARISHES: P04; Sec. 800 (v. MASS OBLIGATIONS, STIPENDS; PASTOR, PARISH PRIEST)  
PASTOR, PARISH PRIEST: K08; 108; 501.3; 803  
PATRIMONY, PATRIMONIAL GOODS: D44; K18; M16  
PERMANENT BODIES OF GENERAL CURIA: E27  
PERSONAL RECORD: 404.2; 1107.1  
PLAN OF COMMUNITY LIFE: N03  
POSTULANCY: (PRE-NOVITIATE) L04–L06; Doc. 4  
POSTULATION: 103.4  
PREACHING: R07  
PREPARATORY COMMISSION: (v. COMMISSIONS)  
PRIEST, PRIESTHOOD, PRESBYTER: Sec. 600 (v. ORDERS, SACRED)

PRINTING OF WORKS: K19  
 PRIORITIES IN APOSTOLIC WORKS: E15; S03; S04; T01; T04; T05  
 PRIVATE (LIFE): K02  
 PRIVATE VOW: R05  
 PRO-VICAR GENERAL: E20; E26  
 PROBATION IN ADMISSIONS: (v. READMISSION; TRANSFER OF INSTITUTE)  
 PROFESSION OF FAITH: 102.5  
 PROFESSION, RELIGIOUS:
 

- formulae and ceremony: 1105; 1106
- member of another institute: D23; D24; 1108
- perpetual: 404.4; 1104
  - admission: M09; M10; 1104
  - anticipation: M10; 1102.3
  - exclusion: L09; 404.3; 1104.1; Sec. 1600
- records: 1107
- request: 1101.3 A
- temporary:
  - admission: M06; 1101.1
  - anticipation: K13; 1004.2 C
  - duration: M09; 1102
  - exclusion: L09; 404.3; 1103.2; Sec. 1600
  - first: 404.2; 1101
  - renewal: L09; 404.3; 1103
  - termination: Sec. 1600

PROGRAM:

- for priestly formation: D22; K16; Q12
- of novitiate: D20; P15; 1005

PROVINCES: Part I, Chap. II

PUBLICATION RIGHTS: M17

QUADRENNIUM: 103.2

READMISSION: D25; K14; 1202; 1203

RECOURSE AGAINST DECISIONS: 207; 913

REDUCTION OF MASS OBLIGATIONS: B05

REFUSAL OF DONATIONS: M19

REGION OF A (VICE) - PROVINCE : E13; E14; J04; Q06

REMOVAL OF SUPERIOR: D11; P11; 103.1; 106.2

RENUNCIATION: (v. RESIGNATION)

REPETITION OF ELECTION: E16

**REPORTS:**

- annual on state of (v)prov.: L13; 402
- financial: D36; D37; H04; P17; P18; 403.1; 903
- on personal events: 404
- on state of Congregation: D02
- statistical: 403.2
- to gen. govt.: Sec. 400

**RESERVATION OF EUCHARIST: (v. LITURGY)**

**RESERVE, SOLIDARITY (CENTRAL FOR HELP IN CASES OF MORE URGENT NEED): D43; H05; Q14**

**RESIDENCE: 406; Sec. 700**

- conditions: 703.2
  - definition: 701.3
  - suppression: 704
- (v. COMMUNITY, HOUSE)

**RESIDENCE OF (VICE-)PROVINCIAL SUPERIOR: P13**

**RESIGNATION**

- of members of gen. govt.: E23–E25
- of membership in gen. chap.: J02
- of notary of gen. chap.: C03
- of offices in Cong.: 103.1; 104
- of offices in (vice-)provinces: D08; D09; Q02; Q10; Q11
- of offices of gen. Curia: C02; D06; E26
- patrimonial goods: M16

**RETREATS: K15; 102.6**

**RETURN TO CONGREGATION, TO COMMUNITY: 404.8; 1200**

**RITE, ORIENTAL: (v. ORIENTAL RITE)**

**SANATION: E17; Q07; 101.4**

**SECRET VOTE: 205**

**SECULARIZATION: (v. LEAVING THE INSTITUTE)**

**SEE, APOSTOLIC (HOLY): D26; D29; D31; D33–D35; D40; D42**

**SEPARATION FROM CONGREGATION: Part II, Chap. VII**

**SICK: R08**

**SOCIETIES OF APOSTOLIC LIFE: (v. TRANSFER OF INSTITUTE)**

**SODALITIES: B06 (v. OBLATES)**

**SOLIDARITY RESERVE: (v. RESERVE, SOLIDARITY)**

**SPIRITUAL EXERCISES: (v. RETREATS)**

**STATE OF CONGREGATION, REPORT ON: D02**

**STATE OF (VICE-)PROVINCE, REPORT ON: LI3; 402**

STATUTES:

- of house of Sant'Alfonso in Rome: E10
  - (vice-)provincial: D04; E09; E11; J03; 407
- (v. CONSTITUTIONS AND STATUTES, TABLE OF CITED)

STIPENDS (v. MASS OBLIGATIONS, STIPENDS)

STUDENTATE: M15

SUBSTITUTE:

- at gen. chap.: Q08
- for consultations: N01; Q09; 204; Document 1
- for Superior General in visitations: D07

SUCCESSION: 105

SUMS, MAXIMUM: (v. LIMITS, HIGHEST)

SUPERIOR:

- all:
  - competencies: Part 1, Chap. IV; 902.2
  - resignation: 104
- immediately dependent on gen. govt: D03; D05; 101.3 C; 104.2 C
- general:
  - competencies: Part I, Chap. I
  - qualifications: 101.2 A
  - resignation: E23; 104.2
  - with consent of gen. coun.: A03; Art. D
  - with consultative vote: A02; Art. C
  - without recourse to coun.: A01; Art. B
- local (of community): D10; D16; K10; L11; P10; P11; R14
  - designation: 101.3 N
  - qualifications: 101.2 C
  - resignation: 104.2 K
- major: Art. A; 101.2 B & D
- provincial:
  - competencies: Part I, Chap. II
  - designation: 101.3 D
- regional: 101.3 J; 104.2 G
- vice-provincial: 101.3 E
- (vice-)provincial:
  - competencies: Part 1, Chap. III
  - confirmation: D08; J01
  - designation, election, substitution: D04; D08; J01; Q08; 101.3
  - qualifications: 101.2 B
  - removal or change: D11
  - residence: P13

- resignation: D06; D08; Q10

SUPPRESSION: (v. COMMUNITY; HOUSE; INSTITUTES OF FORMATION; NOVITIATE; (VICE-)PROVINCE)

SUSPENSION OF LAW: E06; E11; Q04

TEACHERS: M15; 108

TELLERS, COMMISSION OF: G02

TEMPORAL GOODS: C05; D36–D44; E29–E30; H04–H05; K17–K19; L12; M16–M20; P17–P20; Q13–Q14; R11–R13; Sec. 900 (v. ADMINISTRATION; ADMINISTRATOR; ALIENATION; BUDGET; CONTRACTS; DEBTS; DONATIONS; EXPENSES, EXPENDITURES; INVESTMENTS; LAW SUITS; LOANS; RECOURSE; REPORTS)

TERMINATION OF VOWS: Sec. 1600

TERMS IN OFFICE:

- limits: 103.4
- third or more: D16; 103.3

TERRITORY OF (VICE-)PROVINCE: D15; H02; 702.3

TRANSFER:

- from or to Institute: D23; D24; D28; D29; Sec. 1800
- of institutes of formation: D19; P14
- of members: F01; F02; L03; 404.6
- of superiors: D11; P10
- of status within Congregation: M13

TREASURER: 902.3

- general: D36; 902.4
- (vice-)provincial: P18

UNITING (VICE-)PROVINCES: E12

VIATICUM: R08

VICAR:

- general: E18; E24; 105.2
- local: 101.3; 105.4
- resignation: 104
- (vice-)provincial:
  - designation: H01; Q08; 101.3 G & H
  - qualifications: 101.2 D
  - resignation: D08; Q10; 104.2 E & F
  - succession: 105.4

VICE-PROVINCE: E13; F01; G03; H04; H05; J04; P07; P09

(VICE-)PROVINCE:

- agreement: E14
- annual report: D37
- contentious cases: B04
- contributions: E30
- erection, suppression, union, boundary change: E12
- financial report and budget: P17; 903.2
- government: D01
- representation at gen. chap.: E03
- statutes and decrees: E09; E11
- visitation: D07

(v. CHAPTER; PROVINCE; SUPERIOR; VICE-PROVINCE)

VISITATION OF (VICE-)PROVINCE: C01; D07; 411

VOTING:

- in general:
  - majorities in: 206
  - secrecy in: 205
  - substitutes on councils: 204
  - types and manner in councils: 202
  - collegial: 202.3
  - of General Council: Art. E
  - of provincial council:
    - extraordinary: E13; Art. J
  - of (vice-)provincial council:
    - extraordinary: E09; Art. Q
    - ordinary: Art. N
- consultative: 202.1
  - of General Council: Art. C
  - of provincial council: Art. F
  - of (vice-)provincial council: Art. L
- deliberative: 202.2
  - of General Council: Art. D
  - of local council: R12; R14
  - of provincial council:
    - ordinary: Art. G
    - extraordinary: Art. H
  - of (vice-)provincial council:
    - ordinary: Art. M
    - extraordinary: Art. P

VOWS, RELIGIOUS: (v. DISMISSAL; DISPENSATION; PROFESSION, RELIGIOUS; TERMINATION OF VOWS)

WILL: K17

WORKS NOT PROPER TO THE CONGREGATION: P05





