CODE OF CANON LAW 1983

BOOK I GENERAL NORMS

Can. 1: The canons of this Code affect only the Latin Church.

Can. 2: For the most part the Code does not define the rites which are to be observed in celebrating liturgical actions. For this reason current liturgical norms retain their force unless (nisi) a given liturgical norm is contrary to the canons of the Code.

Can. 3: The canons of the Code neither abrogate nor derogate from the pacts entered upon by the Apostolic See with nations or other political societies. They therefore continue in force as presently, notwithstanding any prescriptions of this Code to the contrary.

Can. 4: Acquired rights as well as privileges granted up to this time by the Apostolic See to physical or juridic persons remain unimpaired provided they are presently in use and have not been revoked, unless (nisi) they are expressly revoked by the canons of this Code.

Can. 5: § 1. Presently existing universal or particular customs contrary to the prescriptions of these canons which are reprobated by the very canons of this Code are entirely suppressed, nor are they permitted to revive in the future. Other customs are also considered suppressed unless (nisi) the Code expressly provides otherwise or unless they are centenary or immemorial, in which case they can be tolerated if in the judgment of the ordinary they cannot be removed due to circumstances of place and persons. § 2. Presently existing universal or particular customs which are apart from the law (praeter ius) are preserved.

Can. 6: § 1. When this Code goes into effect, the following are abrogated: (1) the Code of Canon Law promulgated in 1917; (2) other universal or particular laws contrary to the prescriptions of this Code, unless (nisi) particular laws are otherwise expressly provided for; (3) any universal or particular penal laws whatsoever issued by the Apostolic See, unless (nisi) they are contained in this Code; (4) other universal disciplinary laws dealing with a matter which is regulated ex integro by this Code. § 2. The canons of this Code insofar as they refer to the old law are to be assessed also in accord with canonical tradition.
Title I

Can. 7: A law comes into existence when it is promulgated.

Can. 8: § 1.Universal ecclesiastical laws are promulgated by being published in the official commentary Acta Apostolicae Sedis unless ( nisi) another form of promulgation is prescribed for individual cases. These laws become effective only after three months have elapsed from the date of that issue of the Acta, unless ( nisi) they have binding force immediately from the very nature of the matter they treat or unless the law itself specifically and expressly suspends its force for a shorter or longer period. § 2.Particular laws are promulgated in a manner determined by the legislator, and they begin to bind one month from the date of promulgation, unless ( nisi) another time period is determined in the law itself.

Can. 9: Laws deal with the future and not the past, unless ( nisi) specific provision be made in the laws concerning the past.

Can. 10: Only those laws which expressly state that an act is null or that a person is incapable of acting are to be considered to be invalidating or incapacitating.

Can. 11: Merely ecclesiastical laws bind those baptized in the Catholic Church or received into it and who enjoy the sufficient use of reason and, unless ( nisi) the law expressly provides otherwise, have completed seven years of age.

Can. 12: § 1.All persons for whom universal laws were passed are bound by them everywhere. § 2.However, all persons who are actually present in a certain territory are exempted from the universal laws which do not have force in that territory. § 3.With due regard for the prescription of can. 13, laws established for a particular territory bind those for whom they were passed when these persons have a domicile or a quasi-domicile there and are likewise actually present in the territory.

Can. 13 § 1. Particular laws are not presumed to be personal but territorial, unless ( nisi) it is otherwise evident. § 2.Travelers (peregrini): (1) are not bound by the particular laws of their own territory as long as they are absent from it unless ( nisi) their violation would cause harm in their own territory or unless the laws are personal ones; (2) are not bound by the laws of the territory in which they are present with the exception of those laws
which provide for the public order, which determine the formalities of legal actions, or which deal with immovable goods situated in that territory. § 3. Transients (vagi) are bound by both universal laws and the particular laws which are in force in the place where they are present.

**Can. 14:** When there is a doubt of law, laws do not bind even if they be nullifying and disqualifying ones. When there is a doubt of fact, however, ordinaries can dispense from them. In the latter case, if it is a question of a reserved dispensation, the ordinaries can dispense so long as the dispensation is usually granted by the authority to whom it is reserved.

**Can. 15:** § 1. Ignorance or error concerning invalidating or incapacitating laws does not hinder their effectiveness unless (nisi) it is expressly determined otherwise. § 2. Ignorance or error about a law, a penalty, a fact concerning oneself, or a notorious fact concerning another is not presumed; it is presumed about a fact concerning another which is not notorious until the contrary is proven.

**Can. 16:** § 1. Laws are authentically interpreted by the legislator and by the one to whom the legislator has granted the power to interpret them authentically. § 2. An authentic interpretation communicated in the form of a law has the same force as the law itself and must be promulgated. Furthermore, if such an interpretation merely declares what was certain in the words of the law in themselves, it has retroactive force; if it restricts or extends the law or if it explains a doubtful law, it is not retroactive. § 3. However, an interpretation contained in a judicial decision or an administrative act in a particular matter does not have the force of law and binds only the persons and affects only those matters for which it was given.

**Can. 17:** Ecclesiastical laws are to be understood in accord with the proper meaning of the words considered in their text and context.

If the meaning remains doubtful and obscure, recourse is to be taken to parallel passages, if such exist, to the purpose and the circumstances of the law, and to the mind of the legislator.

**Can. 18:** Laws which establish a penalty or restrict the free exercise of rights or which contain an exception to the law are subject to a strict interpretation.
**Can.** 19: Unless (nisi) it is a penal matter, if an express prescription of universal or particular law or a custom is lacking in some particular matter, the case is to be decided in light of laws passed in similar circumstances, the general principles of law observed with canonical equity, the jurisprudence and praxis of the Roman Curia, and the common and constant opinion of learned persons.

**Can.** 20: A later law abrogates a former law or derogates from it if it expressly states so, if it is directly contrary to it, or if it entirely reorders the subject matter of the former law; but a universal law in no way derogates from a particular or special law unless (nisi) the law itself expressly provides otherwise.

**Can.** 21 In a case of doubt the revocation of a preexistent law is not presumed, but later laws are to be related to earlier ones and, insofar as it is possible, harmonized with them.

**Can.** 22: Civil laws to which the law of the Church defers should be observed in canon law with the same effects, insofar as they are not contrary to divine law and unless (nisi) it is provided otherwise in canon law.

**Title II**

**Can.** 23: Only that custom introduced by the community of the faithful and approved by the legislator has the force of law, according to the following canons.

**Can.** 24: § 1. No custom which is contrary to divine law can obtain the force of law. § 2. Unless (nisi) it be a reasonable one, no custom which is contrary to or apart from (praeter ius) canon law can obtain the force of law; however, a custom which is expressly reprobated in law is not a reasonable one.

**Can.** 25: No custom obtains the force of law unless (nisi) it has been observed with the intention of introducing a law by a community capable at least of receiving law.

**Can.** 26: Unless (nisi) it has been specifically approved by the competent legislator, a custom contrary to the current canon law or one which is apart from (praeter ius) canon law obtains the force of law only when it has been legitimately observed for thirty continuous and complete years; only a
centenary or immemorial custom can prevail over a canon which contains a clause forbidding future customs.

**Can.** 27: Custom is the best interpreter of laws.

**Can.** 28: With due regard for the prescription of can. 5, a custom, whether it is contrary to or apart from the law (praeter legem), is revoked by a contrary custom or law, however, unless (nisi) it makes express mention of centenary or immemorial customs, a law does not revoke them, nor does a universal law revoke particular customs.

**Title III**

**Can.** 29: General decrees, by which common prescriptions are issued by a competent legislator for a community capable of receiving a law, are laws properly speaking and are governed by the prescriptions of the canons on laws.

**Can.** 30: Persons who possess only executive power are not able to issue the general decree mentioned in can. 29, unless (nisi) in particular cases such power has expressly been granted to them by a competent legislator in accord with the norm of law and the conditions stated in the act of the grant have been observed.

**Can.** 31: § 1. General executory decrees determine more precisely the methods to be observed in applying the law or themselves urge the observance of laws. Persons who possess executive power are able to issue such decrees within the limits of their competency. § 2. The prescriptions of can. 8 should be observed concerning the promulgation of the decrees mentioned in § 1 and concerning the period of time to elapse before they become effective.

**Can.** 32: General executory decrees oblige those who are bound by the laws whose methods of application such decrees determine or whose observance they urge.

**Can.** 33: § 1. General executory decrees, even if they are published in directories or in documents having some other title, do not derogate from laws, and the prescriptions of such decrees which are contrary to laws lack all force. § 2. Such decrees cease to have force through explicit or implicit revocation by competent authority as well as through cessation of the law for whose execution they were given, but they do not cease to have force
with the termination of the authority of the one issuing them unless (nisi) the contrary has been expressly provided.

**Can.** 34: § 1. Instructions which clarify the prescriptions of laws and elaborate on and determine an approach to be followed in implementing them, are given for the use of those persons who concern it is to see that the laws are implemented and oblige such persons in the execution of the laws. Persons who possess executive power legitimately issue such instructions within the limits of their competency. § 2. Regulations found in instructions do not derogate from laws, and if any of them cannot be reconciled with the prescriptions of laws, they lack all force. § 3. Instructions cease to have force not only through their explicit or implicit revocation by the competent authority who issued them or by the same authority's superior but also through the cessation of the law for whose clarification of implementation they were given.

**Title IV. Caput I**

**Can.** 35: With due regard for can. 76, § 1, an individual administrative act, be it a decree, a precept or a rescript, can be issued by one who possesses executive power within the limits of that person's competency.

**Can.** 36 § 1. An administrative act is to be understood in accord with the proper meaning of the words and the common usage of speech. In a doubtful situation administrative acts are subject to a broad interpretation except for the following administrative acts which are subject to a strict interpretation: those dealing with lawsuits, those threatening or inflicting penalties, those which restrict the rights of a person, those which injure the acquired rights of others, or those which benefit private individuals and are contrary to law. § 2. An administrative act must not be extended to cases other than those actually expressed in it.

**Can.** 37: An administrative act which deals with the external forum is to be set forth in writing; likewise, if the administrative act is issued in commissorial form (forma commissoria), its act of execution is to be in writing.

**Can.** 38: Even in the case of a rescript given at the initiative of its issuer (motu proprio), an administrative act lacks effect insofar as it injures the acquired right of another or is contrary to a law or an approved custom.
unless (nisi) the competent authority expressly adds to it a derogating clause.

**Can.** 39: Conditions attached to an administrative act are considered to affect its validity only when they are expressed by the particles if (si), unless (nisi), or provided that (dummodo).

**Can.** 40: The executor of an administrative act who executes it before receiving the letter and verifying its authenticity and accuracy functions invalidly, unless (nisi) previous notice of the letter had been given to the executor by the authority who issued the act.

**Can.** 41: The executor of an administrative act whose competency is limited to executing it cannot refuse to execute it unless (nisi) it is manifestly apparent that the act is null, that it cannot be upheld due to another serious cause, or that the conditions attached to the administrative act itself have not been fulfilled. Nevertheless, if the execution of the administrative act appears inopportune due to circumstances of person or place, the executor should delay its execution; in all these cases the executor should immediately inform the authority who issued the act.

**Can.** 42: The executor of an administrative act must proceed in accord with the norm of the mandate; the execution is invalid unless (nisi) the essential conditions attached in the letter have been fulfilled and unless the executor has substantially observed the procedural formalities.

**Can.** 43: The executor of an administrative act can with prudent judgment substitute another as executor unless (nisi) such substitution has been forbidden or the executor has been chosen for personal qualifications, or the person of the substitute has been predetermined; however, in these cases the executor may entrust preparatory acts to another.

**Can.** 44: Unless (nisi) the executor was chosen on account of personal qualifications, an administrative act can also be implemented by the executor's successor in office.

**Can.** 45: If in some way the executor erred in the execution of an administrative act, the executor may implement the same act again.

**Can.** 46: Unless (nisi) it is expressly provided otherwise in law, an administrative act does not cease with the termination of the authority of the one issuing it.
Can. 47: The revocation of an administrative act by means of another administrative act of a competent authority takes effect only from the moment at which the latter act has legitimately been made known to the person for whom it has been given.

Can. 48: An individual decree is an administrative act issued by a competent executive authority in which a decision is given or a provision is made in a particular case in accord with the norms of law; such decisions or provisions of their nature do not presuppose that a petition has been made by someone.

Can. 49: An individual precept is a decree directly and legitimately enjoining a determined person or persons to do or to omit something, especially concerning the urging of the observance of a law.

Can. 50: Before issuing an individual decree an authority should seek out the necessary information and proofs, and also hear those whose rights can be injured, insofar as this is possible.

Can. 51: A decree should be issued in writing, giving, in the case of a decision, the reasons which prompted it, at least in a summary fashion.

Can. 52: An individual decree has force only in respect to the matters it decides and only on behalf of the persons for whom it was given; it obliges these persons everywhere, unless (nisi) it is otherwise evident.

Can. 53: If decrees are contrary to one another, a special decree prevails over a general decree in those matters which are specifically expressed; if they are equally special or general, the later decree modifies the prior one to the extent that the later is contrary to the prior.

Can. 54: § 1. An individual decree whose application is entrusted to an executor takes effect from the moment of its execution; otherwise, from the moment it is made known to the person through the authority of its issuer. § 2. For an individual decree to be enforced it must be communicated by means of a legitimate document in accord with the norm of law.

Can. 55: With due regard for the prescription of cann. 37 and 51, when a most serious reason prevents the handing over of the written text of a decree, the decree is considered to have been communicated if it is read before a notary or two witnesses to the person for whom it is destined and all present sign an instrument stating this was done.
Can. 56: A decree is considered to have been communicated when the person for whom it was destined was properly summoned to receive or hear it, even if the person without a just cause did not appear or refused to sign it.

Can. 57: § 1. As often as the law requires a decree to be issued or if an interested party legitimately presents either a petition or a recourse to obtain a decree, the competent authority should provide for the matter within three months from the receipt of the petition or recourse unless (nisi) another time period is prescribed by law. § 2. When this period of time has passed, if the decree has not yet been given, the response is presumed to be negative regarding the presentation of a further recourse. § 3. A presumed negative response does not exempt the competent authority from the obligation of issuing the decree and even making reparation for damages possibly incurred in accord with the norm of can. 128.

Can. 58: § 1. An individual decree ceases to have force through its legitimate revocation by competent authority and also through the cessation of the law for whose execution it has been given. § 2. An individual precept which has not been imposed through a legitimate document ceases with the termination of the authority of the one issuing it.

Can. 59: § 1. A rescript is an administrative act issued in writing by competent executive authority by which through its very nature a privilege, dispensation, or other favor is granted in response to someone's request. § 2. The prescriptions established for rescripts also apply to the verbal granting of a permission or of favors, unless (nisi) it is otherwise evident.

Can. 60: Any rescript whatsoever can be requested by all who are not expressly forbidden to do so.

Can. 61: Unless (nisi) it is otherwise evident, a rescript can be requested on behalf of another person, even without that person's consent, and it takes effect before the person's acceptance, with due regard for contrary clauses.

Can. 62: A rescript for which no executor is given takes effect from the moment when the letter is issued; other rescripts take effect from the moment of execution.
**Can. 63**: § 1. Subreption, or the concealment of the truth, invalidates a rescript if those things which must be expressed in the request for validity according to the law, style, and canonical practice were not expressed; this does not apply to a rescript of favor which was given motu proprio. § 2. Obreption, or statements of falsehood, likewise invalidates a rescript if not even one proposed motivating reason is true. § 3. For rescripts which have no executor the motivating reason must be true at the time when the rescript is issued; for other rescripts, at the time of execution.

**Can. 64**: With due regard for the authority of the Sacred Penitentiary in the internal forum, a favor which has been denied by one dicastery of the Roman Curia cannot be validly granted by another dicastery or by another competent authority below the Roman Pontiff without the consent of the dicastery before which the matter was initiated.

**Can. 65**: § 1. With due regard for the prescriptions of §§ 2 and 3, no one should petition for a favor from another ordinary which has been denied by one's own ordinary unless (nisi) mention of the denial has been made. Even after such mention has been made, the second ordinary should not grant the favor unless (nisi) he has obtained the reasons for the denial from the prior ordinary. § 2. A favor which has been denied by a vicar general or by an episcopal vicar cannot be granted validly by another vicar of the same bishop even if the reasons for the denial have been obtained from the vicar who denied it. § 3. A favor which has been denied by a vicar general or by an episcopal vicar and later procured from the diocesan bishop without mentioning this denial is invalid. But a favor which has been denied by the diocesan bishop cannot be procured validly from his vicar general or episcopal vicar without the consent of the bishop, even if mention of the denial has been made.

**Can. 66**: A rescript does not become invalid due to an error in the name of the person to whom it is given or from whom it is issued or an error in the name of the place where the person is staying or the matter being treated provided (dummodo) that there is no doubt concerning the identity of the person or the matter in question in the judgment of the ordinary.

**Can. 67**: § 1. If it happens that two contradictory rescripts are procured concerning one and the same thing the special rescript prevails over the general one in those matters which are specifically expressed. § 2. If they are equally special or general in character, the first one issued prevails over
the one issued later, unless (nisi) express mention of the prior one is made in the second one or unless (nisi) the person who had procured the prior rescript had not used it out of deceit or notable negligence. § 3. When there is doubt about whether a rescript is valid or not, recourse should be had to the one issuing it.

**Can. 68:** A rescript of the Apostolic See in which no executor is given must be presented to the ordinary of the person who obtained it only when such action is ordered by the rescript itself, or when it deals with public affairs, or when it is necessary to prove that the attached conditions have been satisfied.

**Can. 69:** When no definite time is set for its presentation, a rescript can be presented to its executor at any time whatsoever, provided fraud and deceit are absent.

**Can. 70:** If the granting of a rescript is entrusted to an executor, the favor can be granted or denied in accord with the executor's prudent judgment and conscience.

**Can. 71:** No one is bound to use a rescript granted for one's own advantage alone, unless (nisi) one is otherwise bound to do so by a canonical obligation.

**Can. 72:** Rescripts granted by the Apostolic See which have expired can be extended once by a diocesan bishop for a just reason, but not beyond three months.

**Can. 73:** No rescripts are revoked by a contrary law unless (nisi) it is provided otherwise in the law itself.

**Can. 74:** Although a person can use in the internal forum a favor granted only orally, the person is bound to prove it for the external forum whenever this is legitimately requested.

**Can. 75:** If a rescript contains a privilege or a dispensation, the prescriptions of the following canons are likewise to be observed.

**Can. 76:** § 1. A privilege or a favor granted to certain persons, whether physical or juridical, by means of a special act can be granted by the legislator as well as by an executive authority to whom the legislator has
granted this power. § 2. Centenary or immemorial possession induces a presumption that a privilege has been granted.

**Can.** 77: A privilege is to be interpreted in accord with the norm of can. 36, § 1, but that interpretation is always to be used so that the beneficiaries of a privilege actually obtain some favor.

**Can.** 78: § 1. A privilege is presumed to be perpetual unless (nisi) the contrary is proved. § 2. A personal privilege, namely one which follows the person, ceases with the person's death. § 3. A real privilege ceases with the complete destruction of the thing or place; but a local privilege revives if the place is restored within fifty years.

**Can.** 79: A privilege ceases through its revocation by competent authority in accord with the norm of can. 47, with due regard for the prescription of can. 81.

**Can.** 80: § 1. No privilege ceases through renunciation unless (nisi) the renunciation has been accepted by the competent authority. § 2. Any physical person can renounce a privilege granted on behalf of that person alone. § 3. Individual persons cannot renounce a privilege which has been granted to some juridic person or has been granted by reason of the dignity of a place or thing; nor is a juridic person competent to renounce a privilege granted to it if its renunciation prejudices the Church or others.

**Can.** 81: A privilege is not terminated with the termination of the authority of the one issuing it unless (nisi) it has been granted with the provision ad beneplacitum nostrum or some equivalent terminology.

**Can.** 82: A privilege which is not a burden on others does not cease through nonusage or contrary usage; but if it is to the disadvantage of others, it is lost through legitimate prescription.

**Can.** 83: § 1. A privilege ceases through the lapse of the period of time or after the completion of the number of cases for which it was granted, with due regard for the provision of can 142, § 2. § 2. A privilege also ceases if in the course of time circumstances change to such a degree that the privilege becomes harmful or its use illicit in the judgment of the competent authority.

**Can.** 84: Whoever abuses the power given by privilege deserves to be deprived of it; therefore, the ordinary, after having admonished the grantee in vain, may deprive the one who seriously abuses it of a privilege which he
himself had granted; if, however, the privilege was granted by the Apostolic See, the ordinary is bound to notify the Apostolic See.

**Can. 85:** A dispensation, or the relaxation of a merely ecclesiastical law in a particular case, can be granted by those who enjoy executive power, within the limits of their competence, as well as by those to whom the power of dispensing has been given explicitly or implicitly either by the law itself or by lawful delegation.

**Can. 86:** Laws, to the extent that they define that which essentially constitutes juridical institutes or acts, are not subject to dispensation.

**Can. 87:** § 1. As often as he judges that a dispensation will contribute to the spiritual good of the faithful, the diocesan bishop can dispense from both universal and particular disciplinary laws established for his territory or for his subjects by the supreme authority of the Church. He cannot dispense, however, from procedural or penal laws or from those laws whose dispensation is especially reserved to the Apostolic See or to another authority. § 2. If recourse to the Holy See is difficult and, at the same time, there is danger of grave harm in delay, any ordinary can dispense from the abovementioned disciplinary laws, even if the dispensation is reserved to the Holy See, provided (dummodo) that the matter concerns a dispensation which the Holy See is wont to grant under the same circumstances with due regard for the prescriptions of can. 291.

**Can. 88:** The local ordinary can dispense from diocesan laws and, as often as he judges that a dispensation will contribute to the good of the faithful, from laws passed by a plenary or provincial council or by the conference of bishops.

**Can. 89:** The pastor (parochus) and other presbyters ordeacons cannot dispense from a universal or particular law unless (nisi) this power has been expressly granted to them.

**Can. 90:** § 1. A dispensation from an ecclesiastical law may not be granted without a just and reasonable cause and without taking into consideration the circumstances of the case and the gravity of the law from which the dispensation is to be given; otherwise the dispensation is illicit and, unless (nisi) it is given by the legislator himself or his superior, it is also invalid. § 2. When there is a doubt about the sufficiency of the cause, a dispensation is granted validly and licitly.

btcajx
Can. 91: One who possesses the power of dispensing can exercise it even though he is outside his own territory, for his subjects, though they are absent from his territory, and also, unless (nisi) the contrary is expressly established, for travelers (peregrini) actually present in his territory, as well as on his own behalf.

Can. 92: A strict interpretation must be given not only to a dispensation according to can. 36, § 1, but also to the very power of dispensing granted for a particular case.

Can. 93: A dispensation which has successive applications ceases in the same ways as a privilege and also because of the certain and complete cessation of the motivating cause.

Can. 94: § 1. Statutes in the proper sense are ordinances which are established in aggregates of persons or of things according to the norm of law and by which their purpose, constitution, government and operation are defined. § 2. The statutes of an aggregate of persons bind only its legitimate members; the statutes of an aggregate of things bind only those who govern it. § 3. Those prescriptions of statutes which were issued and promulgated in virtue of legislative power are governed by the prescriptions of the canons on laws.

Can. 95: § 1. Rules of order (ordines) are rules or norms to be observed in assemblies of persons, whether the assemblies were convoked by ecclesiastical authority or called together freely by the Christian faithful or are other kinds of celebrations. These rules define the constitution, government and procedures of the assembly. § 2. In assemblies or celebrations the rules of order oblige all those who participate.

Can. 96: By baptism one is incorporated into the Church of Christ and is constituted a person in it with duties and rights which are proper to Christians, in keeping with their condition, to the extent that they are in ecclesiastical communion and unless (nisi) a legitimately issued sanction stands in the way.

Can. 97: § 1. A person who has completed the eighteenth year of age is an adult; below this age, a person is a minor. § 2. Before the completion of the seventh year a minor is called an infant and is held to be incompetent (non sui compos); with the completion of the seventh year one is presumed to have the use of reason.
Can. 98: § 1. An adult person enjoys the full use of his or her rights. § 2. A minor person remains subject to the authority of parents or guardians in the exercise of his or her rights, with the exception of those areas in which minors by divine law or canon law are exempt from their power; with reference to the designation of guardians and their authority, the prescriptions of the civil law are to be followed unless (nisi) canon law determines otherwise or unless the diocesan bishop in certain cases for a just cause has decided to provide otherwise through the designation of some other guardian.

Can. 99: Whoever habitually lacks the use of reason is held to be incompetent (non sui compos) and is equated with infants.

Can. 100: A person is called a resident (incola) in the place where one has a domicile; a temporary resident (advena) in the place where one has a quasi-domicile; a traveler (peregrinus) when outside the place of domicile or quasi-domicile which is still retained; and a transient (vagus) if one has neither domicile nor quasi-domicile anywhere.

Can. 101: § 1. The place of origin of a child, even of a neophyte, is that in which the parents had a domicile, or in its absence a quasi-domicile, at the time the child was born or, if the parents did not have the same domicile or quasi-domicile, that of the mother. § 2. In the case of a child of transients (vagi), the place of origin is the place of birth; in the case of an abandoned child, it is the place in which the child was found.

Can. 102: § 1. Domicile is acquired by residence within the territory of a certain parish or at least of a diocese, which either is joined with the intention of remaining there permanently unless (nisi) called away, or has been protracted for five complete years. § 2. Quasi-domicile is acquired by residence within the territory of a certain parish or at least of a diocese which either is joined with the intention of remaining there at least three months, unless (nisi) called away, or has in fact been protracted for three months. § 3. A domicile or quasi-domicile within the territory of a parish is called parochial; in the territory of a diocese, even though not in a particular parish, it is called diocesan.

Can. 103: Members of religious institutes and societies of apostolic life acquire a domicile in the place of the house to which they are attached; they acquire a quasi-domicile in the house where they are living according to the
norm of can. 102, § 2. Can. 104: Spouses may have a common domicile or quasi-domicile; either can have a proper domicile or quasi-domicile by reason of a legitimate separation or some other just cause.

Can. 105: § 1. A minor necessarily keeps the domicile or quasi-domicile of the one to whose power he or she is subject. After passing beyond infancy one can also acquire a quasi-domicile of one's own; and one who has been legally emancipated according to the norm of civil law can also acquire a domicile of his or her own. § 2. Whoever has been legally placed under the guardianship or care of another, for some reason other than minority, has the domicile or quasi-domicile of the guardian or curator.

Can. 106: Domicile and quasi-domicile are lost by departure from the place with the intention of not returning, with due regard for the prescription of can. 105.

Can. 107: § 1. Each person acquires a proper pastor (parochus) and ordinary through both domicile and quasi-domicile. § 2. The proper pastor (parochus) or ordinary of a transient (vagus) is the pastor (parochus) or ordinary of the place in which the transient is actually staying. § 3. The proper pastor (parochus) of one who has only a diocesan domicile or quasi-domicile is the pastor (parochus) of the place in which such a person is actually staying.

Can. 108: § 1. Consanguinity is calculated through lines and degrees. § 2. In the direct line, there are as many degrees as there are generations or persons, not counting the common ancestor. § 3. In the collateral line, there are as many degrees as there are persons in both lines together, not counting the common ancestor.

Can. 109: § 1. Affinity arises from a valid marriage, even if not consummated, and exists between a man and the blood relatives of the woman and between the woman and blood relatives of the man. § 2. It is so calculated that those who are blood relatives of the man are related in the same line and degree by affinity to the woman, and vice versa.

Can. 110: Children who have been adopted according to the norm of civil law are considered as being the children of the person or persons who have adopted them.
Can. 111: § 1. A child of parents who belong to the Latin Church is ascribed to it by reception of baptism, or, if one or the other parent does not belong to the Latin Church and both parents agree in choosing that the child be baptized in the Latin Church, the child is ascribed to it by reception of baptism; but, if the agreement is lacking, the child is ascribed to the Ritual Church to which the father belongs. § 2. Anyone to be baptized who has completed the fourteenth year of age can freely choose to be baptized in the Latin Church or in another Ritual Church sui iuris, and in this case the person belongs to that Church which is chosen.

Can. 112: § 1. After the reception of baptism, the following are enrolled in another Ritual Church sui iuris: (1) one who has obtained permission from the Apostolic See; (2) a spouse who declares at the time of marriage or during marriage that he or she is transferring to the Ritual Church sui iuris of the other spouse; but when the marriage has ended, that person can freely return to the Latin Church; (3) children of those in nn. 1 and 2 under fourteen complete years of age; and similarly children of a Catholic party in a mixed marriage who legitimately transferred to another Ritual Church. But, when such persons reach fourteen complete years of age, they may return to the Latin Church. § 2. The custom, however prolonged, of receiving the sacraments according to the rite of another Ritual Church sui iuris, does not carry with it enrollment in that Church.

Can. 113: § 1. The Catholic Church and the Apostolic See have the nature of a moral person by divine law itself. § 2. Besides physical persons, there are also in the Church juridic persons, that is, subjects in canon law of obligations and rights which correspond to their nature.

Can. 114: § 1. Juridic persons are constituted either by prescription of law or by special concession of the competent authority given through a decree; they are aggregates of persons or of things ordered towards a purpose congruent with the mission of the Church and which transcends the purpose of the individuals that make them up. § 2. The purposes spoken of in § 1 are understood as those which pertain to works of piety, of the apostolate or of charity, whether spiritual or temporal. § 3. The competent ecclesiastical authority is not to confer juridic personality except ( nisi) upon those aggregates of persons or things which pursue a truly useful purpose and, all things considered, have resources which are foreseen to be sufficient to achieve their designated end.
Can. 115: § 1. Juridic persons within the Church are aggregates either of persons or of things. § 2. An aggregate of persons which cannot be constituted unless (nonnisi) it consists of at least three persons, is collegial if its members determine its action through participation in making its decisions, whether by equal right or not, according to the norm of law and its own statutes; otherwise it is noncollegial. § 3. An aggregate of things or an autonomous foundation consists of goods or things, whether spiritual or material, and is directed by one or several physical persons or a college according to the norm of law and its statutes.

Can. 116: § 1. Public juridic persons are aggregates of persons or things which are so constituted by the competent ecclesiastical authority that, within the limits set for them in the name of the Church, they fulfill a proper function entrusted to them in view of the common good, in accord with the prescripts of law; other juridic persons are private. § 2. Public juridic persons are given this personality either through the law itself or by a special decree of the competent authority granting it; private juridic persons are given this personality only through a special decree of the competent authority expressly granting this personality.

Can. 117: No aggregate of persons or things, intending to obtain juridic personality, can achieve it unless (nisi) its statutes have been approved by the competent authority.

Can. 118: They alone represent a public juridic person and act in its name who are acknowledged to have this competence either by universal or particular law or by its own statutes; they represent a private juridic person who have been given this competency by statute.

Can. 119: With regard to collegial acts, unless (nisi) provision is made otherwise by law or statutes: (1) if it is a question of elections, that action has the force of law which, when a majority of those who must be convoked are present, receives the approval of an absolute majority of those who are present; after two indecisive ballots, the choice is between the two candidates who have obtained the greater number of the votes, or, if there are several (with the same numbers), upon the two who are senior in age; after a third ballot, if the tie remains, the one who is the senior in age is considered elected; (2) if it is a question of other matters, that action will have the force of law which, when a majority of those who must be convoked are present, receives the approval of an absolute majority of those
who are present; if after two ballots it is a tie vote, the presiding officer can break the tie by his or her vote; (3) what touches all as individuals must be approved by all.

**Can. 120:** § 1. A juridic person is of its nature perpetual; nevertheless it is extinguished if it is legitimately suppressed by a competent authority or has ceased activity for a hundred years; a private juridic person is furthermore extinguished if the association is dissolved according to the norm of its statutes, or if, in the judgment of the competent authority, the foundation itself has ceased to exist according to the norm of its statutes. § 2. If even one member of a collegial juridic person survives, and the aggregate of persons has not ceased to exist according to its statutes, the exercise of all of the rights of the aggregate devolves upon that one member.

**Can. 121:** If aggregates, whether of persons or of things, which are public juridic persons, are so joined that out of all of them one aggregate is constituted, itself enjoying juridic personality, this new juridic person obtains the goods and patrimonial rights proper to the prior ones, and it also takes upon itself the obligations with which they have been burdened; however, the intention of the founders and donors and acquired rights must be respected, particularly as regards the allocation of goods and the fulfillment of obligations.

**Can. 122:** If an aggregate which has public juridic personality is so to be divided so that a part of it is united to another public juridic person, or that a distinct public juridic persons is established from the separated part, it is the obligation of the ecclesiastical authority which is competent to make the division, having observed before all else the intention of founders and donors, acquired rights, and approved statutes, to see to it personally or through an executor: (1) that things held in common which are capable of division, both goods and patrimonial rights as well as the debts and other obligations, are divided among the juridic persons concerned with due proportion based on equity and justice, taking into account all the circumstances and the needs of each; (2) that the use and usufruct of those common goods which are not susceptible to division accrue to each juridic person, and that the obligations proper to them fall upon each, to be determined in like manner with proper regard for due proportion based on equity and justice.
Can. 123: Upon the extinction of a public juridic person, the allocation of its goods, patrimonial rights and obligations, is ruled by law and by statutes; if these give no indication, they go to the juridic person immediately superior, with due regard for the will of the founders or donors and for acquired rights; upon the extinction of a private juridic person the allocation of its goods and obligations is regulated by its own statutes.

Can. 124: § 1. For the validity of a juridic act it is required that it be placed by a person capable of placing it, and that it include those elements which essentially constitute it as well as the formalities and requisites imposed by law for the validity of the act. § 2. A juridic act correctly placed with respect to its external elements is presumed to be valid.

Can. 125: § 1. An act placed because of extrinsic force brought to bear upon a person, which the person was not in any way able to resist, is considered not to have been placed. § 2. An act placed because of grave fear, which has been unjustly afflicted, or because of fraud is valid unless (nisi) the law makes some other provision; but such an act can be rescinded by the decision of a judge, either at the instance of an injured party, or that party's successors in law, or ex officio.

Can. 126: An act placed because of ignorance or error concerning an element which constitutes its substance or which amounts to a condition sine qua non is invalid; otherwise it is valid, unless (nisi) the law makes some other provision. However, an act placed out of ignorance or error can be the occasion for a recissory action in accord with the norm of law.

Can. 127: § 1. When the law determines that in order to place certain acts a superior requires the consent or counsel of a college or group of persons, the college or group must be convoked according to the norm of can. 166, unless (nisi) particular or proper law provides otherwise when counsel only is to be sought; however, for such acts to be valid it is required that the consent of an absolute majority of those present be obtained or that the counsel of all who are present be sought. § 2. When the law determines that a superior in order to place certain acts requires the consent or the counsel of certain persons as individuals: (1) if consent is required, the action of the superior is invalid if the superior does not seek the consent of those persons or acts contrary to the opinion of the persons or person; (2) if counsel is required, the action of the superior is invalid if the superior does not listen to those persons; although in no way obliged to accede to their
recommendation, even if it be unanimous, nevertheless the superior should not act contrary to it, especially when there is a consensus, unless (nisi) there be a reason which, in the superior's judgment, is overriding. § 3. All whose consent or counsel is required are obliged to offer their opinion sincerely and, if the seriousness of the matter requires it, to observe secrecy sedulously, and this obligation can be insisted upon by the superior.

Can. 128: Anyone who unlawfully inflicts damage upon someone by a juridic act, or indeed by any other act placed with malice or culpability is obliged to compensate for the damage inflicted.

Can. 129: § 1. In accord with the prescriptions of law, those who have received sacred orders are capable of the power of governance, which exists in the Church by divine institution and is also called the power of jurisdiction. § 2. Lay members of the Christian faithful can cooperate in the exercise of this power in accord with the norm of law.

Can. 130: The power of governance is normally exercised in the external forum, but sometimes it is exercised in the internal forum only, but in such a way that the effects which its exercise normally has in the external forum are not acknowledged in this forum except (nisi) as is established by law in certain instances.

Can. 131: § 1. The ordinary power of governance is that which is joined to a certain office by the law itself; delegated power is that which is granted to a person, but not by means of an office. § 2. The ordinary power of governance can be either proper or vicarious. § 3. The burden of proving delegation rests with the person who claims to have been delegated.

Can. 132: § 1. Habitual faculties are governed by the prescriptions for delegated power. § 2. However, unless (nisi) otherwise expressly provided in the grant of faculties or unless an ordinary was chosen for his personal qualifications, a habitual faculty granted to an ordinary is not withdrawn when that ordinary's authority ceases, even though he has started to execute the faculty, but it transfers to any ordinary who succeeds him in governance.

Can. 133: § 1. A delegate who exceeds the limits of the mandate with respect to matters or to persons acts invalidly. § 2. A delegate who acts in delegated matters in a manner other than that determined in the mandate is
not considered to have exceeded the limits of the mandate unless (nisi) the manner of acting was prescribed for validity by the one delegating.

**Can. 134:** § 1. By the title of ordinary in the law are understood, in addition to the Roman Pontiff, diocesan bishops and others who, even if only on an interim basis, have been placed over a particular church or over a community which is equivalent to it according to the norm of can. 368, as well as those who possess ordinary general executive power in said churches and communities, namely vicars general and episcopal vicars; and likewise for their own members the major superior of clerical religious institutes of pontifical right and of clerical societies of apostolic life of pontifical right, who possess at least ordinary executive power. § 2. By the title of local ordinary are understood all those mentioned in § 1, except superiors of religious institutes and societies of apostolic life. § 3. Whatever things in the canons in the realm of executive power which are attributed by name to the diocesan bishop are understood to pertain only to the diocesan bishop and to others equivalent to him in can. 381, § 2, excluding the vicar general and the episcopal vicar unless (nisi) they have received a special mandate.

**Can. 135:** § 1. The power of governance is distinguished as legislative, executive and judicial. § 2. Legislative power is to be exercised in the manner prescribed by law, and that legislative power in the Church possessed by a legislator below the highest authority cannot be validly delegated, unless (nisi) otherwise explicitly provided for in the law; a law which is contrary to a higher law cannot be validly enacted by a lower level legislator. § 3. Judicial power, which is possessed by judges or judicial colleges, is to be exercised in the manner prescribed by law and cannot be delegated, except (nisi) to carry out acts which are preparatory to a decree or a decision. § 4. In regard to the exercise of executive power, the prescriptions of the following canons are to be observed.

**Can. 136:** A person can exercise executive power over his subjects, even though he himself is outside his own territory and even when they are outside his territory, unless (nisi) the contrary is certain from the nature of the case or from the prescription of the law; he can also exercise this power over travellers actually present in his territory, provided it is a matter of granting favors or of enforcing either universal laws or particular laws by which they are bound according to the norm of can. 13, § 2, n. 2.
Can. 137: § 1. Ordinary executive power can be delegated both for a single act and for all cases, unless ( nisi) the law expressly provides otherwise. § 2. Executive power delegated by the Apostolic See can be subdelegated, whether for a single act or for all cases, unless ( nisi) the delegation was granted in view of the special qualifications of the delegate or unless subdelegation was expressly prohibited. § 3. If executive power delegated by another authority having ordinary power was delegated for all cases, it can be subdelegated only for individual cases; if, however, it was delegated for a single act or for determined acts it cannot be subdelegated except ( nisi) by the expressed grant of the one delegating. § 4. No subdelegated power can be again subdelegated, unless ( nisi) this has been expressly granted by the one delegating.

Can. 138: Ordinary executive power as well as power delegated for all cases is to be broadly interpreted; any other is to be strictly interpreted; however, a person who has received delegated power is understood to have also been granted whatever is necessary to exercise that power.

Can. 139 § 1. Unless ( nisi) other provision is made in the law, the fact that a person approaches a competent authority, even one which is higher, does not suspend the executive power of another competent authority, whether this be ordinary or delegated. § 2. Nevertheless, a lower authority should not become involved in cases which have been submitted to a higher authority, except ( nisi) for a grave and urgent reason, in which case the lower authority should immediately notify the higher concerning the matter.

Can. 140 § 1. When several persons have been delegated in solidum to transact the same business, the one who first undertakes to deal with it excludes the others from acting, unless ( nisi) thereafter that person is impeded or does not wish to proceed further in treating the matter. § 2. When several persons have been delegated to transact some business collegially, all must proceed according to the norm of can. 119, unless ( nisi) in their mandate some other provision has been made. § 3. Executive power delegated to several persons is presumed to have been delegated to them in solidum.

Can. 141 If several persons have been successively delegated, that person should transact the business whose mandate is prior to the others and has not later been revoked.
Can. 142 § 1. Delegated power ceases by fulfillment of the mandate, by the lapse of the time or by the completion of the number of cases for which it was granted, by cessation of the final cause of the delegation, by the revocation of the one delegating directly communicated to the delegate, as well as by the resignation of the delegate made known to and accepted by the one delegating; it does not cease, however, by the expiration of the authority of the one delegating, unless (nisi) this is clear from clauses appended to the grant. § 2. An act of delegated power, however, which is exercised only for the internal forum and which is placed inadvertently after the lapse of the time of the grant, is valid.

Can. 143 § 1. Ordinary power ceases by the loss of the office to which it is connected. § 2. Unless (nisi) the law provides otherwise, ordinary power is suspended in the event that a privation of or removal from office is legitimately appealed or recourse taken.

Can. 144 § 1. In factual or legal common error and also in positive and probable doubt about law or about fact, the Church supplies executive power of governance both for the external and for the internal forum. § 2. This same norm applies to the faculties mentioned in cann. 882, 966 and 1111, § 1. Can. 145 § 1. An ecclesiastical office is any function constituted in a stable manner by divine or ecclesiastical law to be exercised for a spiritual purpose. § 2. The obligations and the rights proper to individual ecclesiastical offices are defined either in the law by which the office is constituted or in the decree of a competent authority by which it is at the same time constituted and conferred.

Can. 146 An ecclesiastical office cannot be validly acquired without canonical provision.

Can. 147 Provision of an ecclesiastical office occurs by the free conferral of a competent ecclesiastical authority, or by installation by the same authority if presentation preceded it, or by confirmation or admission granted by the same authority if election or postulation preceded it, or, finally, by simple election and acceptance by the one elected if the election does not require confirmation.

Can. 148 That authority which is competent to establish, modify and suppress offices is also competent to make provision for them unless (nisi) the law establishes otherwise.
**Can.** 149 § 1. In order to be promoted to an ecclesiastical office, a person must be in the communion of the Church as well as suitable, namely endowed with those qualities which are required for the office in question by universal or particular law or by the law of the foundation. § 2. Provision of an ecclesiastical office made in favor of a person who lacks the required qualities is invalid only if the qualities are expressly required for the validity of the provision by universal or particular law or the law of the foundation; otherwise the provision is valid, but it can be rescinded by the decree of the competent authority or by the sentence of an administrative tribunal. § 3. Simoniacal provision of an office is invalid by the law itself.

**Can.** 150 An office entailing the full care of souls, for whose fulfillment the exercise of the priestly order is required, cannot be validly conferred upon someone who has not yet received priestly ordination.

**Can.** 151 The provision of an office entailing the care of souls is not to be deferred without serious cause.

**Can.** 152 Two or more incompatible offices, that is, offices which cannot be fulfilled at the same time by the same person may not be conferred upon one person.

**Can.** 153 § 1. The provision of an office which is by law not vacant is by that very fact invalid, and a subsequent vacancy does not validate the provision. § 2. But if it is a question of an office which by law is conferred for a determined period of time the provision can be made within six months before the expiration of this time, and it takes effect on the day of the vacancy of the office. § 3. A promise of an office, no matter by whom it is made, has no juridic effect.

**Can.** 154 An office which is vacant by law but perhaps held by someone illegitimately can be conferred provided (dummodo) that it is duly declared that the possession is illegitimate and provided that this declaration is mentioned in the document of conferral.

**Can.** 155 A person who confers an office, while supplying for someone who is negligent or impeded, thereby acquires no power over the person upon whom the office was conferred, and the juridic situation of that person is determined just as though the provision had been made according to the ordinary norm of law.
Can. 156 The provision of any office whatsoever is to be made in writing.

Can. 157 Unless (nisi) otherwise explicitly determined by law, it is within the competence of the diocesan bishop to provide for ecclesiastical offices in his own particular church by free conferral.

Can. 158 § 1. Presentation for an ecclesiastical office must be made by the person who has the right of presentation to the authority whose right it is to install someone in the office in question, and furthermore this presentation must be made within three months from the receipt of notice of the vacancy of the office, unless (nisi) something else has been legitimately established. § 2. If the right of presentation belongs to a certain college or group of persons, the person to be presented is to be designated according to the prescriptions of cann. 165-179.

Can. 159 No one may be presented who is unwilling; hence a person proposed for presentation who has been asked about his or her willingness can be presented unless (nisi) the person has declined it within eight days of available time.

Can. 160 § 1. A person who enjoys the right of presentation can present one or even several candidates either at one time or successively. § 2. No one can present himself or herself; a college or group of persons, however, can present one of its own members.

Can. 161 § 1. Unless (nisi) otherwise determined by law, a person who has presented someone found to be unsuitable can present someone else only once more and within a month. § 2. If the person presented declines or dies before the installation, the person having the right of presentation can again exercise such right within a month of the receipt of notice of the refusal or death.

Can. 162 A person who has not made a presentation within the available time according to the norm of cann. 158, § 1 and 161 or who has twice presented someone who has been found unsuitable loses the right of presentation for that instance; and the authority whose right it is to install is competent to provide freely for the vacant office, with the consent, however, of the candidate's own ordinary.

Can. 163 The authority which is competent according to law to install someone who has been presented is to install the person who has been
legitimately presented, whom he or she found suitable and who accepted the office; but if several have been legitimately presented who are found to be suitable, the authority must install one of them.

**Can.** 164 Unless (nisi) the law has provided otherwise, the prescriptions of the following canons are to be observed in canonical elections.

**Can.** 165 Unless (nisi) the law or the legitimate statutes of a college or group provide otherwise, if a college or group of persons has the right of election to office the election is not be deferred beyond three months of available time from receipt of the notice of vacancy of the office; if this period of time has elapsed without action, the ecclesiastical authority having the right to confirm the election or provide for the office successively is to make provision freely for the vacant office.

**Can.** 166 § 1. The presiding officer of the college or group shall convocate all the members of the college or group; and the notice of convocation, when it must be communicated to each member personally, is valid if it is directed to the place of domicile or quasi-domicile or actual residence. § 2. If one of those to be convoked is overlooked and is therefore absent, the election is valid; however, upon the instance of such a one and after proof of the oversight and absence, the election, even if it has been confirmed, must be rescinded by the competent authority, provided (dummodo) that it has been juridically established that recourse was made within at least three days of receipt of the notice of the election. § 3. But if more than one-third of the electors were overlooked, the election is invalid by the law itself, unless (nisi) all those overlooked were in fact present.

**Can.** 167 § 1. Once the convocation has been legitimately made, those present on the day and in the place designated in the convocation have the right to vote; the faculty of voting by mail or by proxy is excluded, unless (nisi) the statutes legitimately provide otherwise. § 2. If one of the electors is present in the house in which the election takes place but cannot be present for the election because of ill health, his or her written ballot is to be obtained by the tellers.

**Can.** 168 Even if a person has the right to vote in his or her own name by more than one title, such a person can cast only one ballot.

**Can.** 169 In order that the election be valid, no one can be permitted to vote who is not a member of the college or group.
Can. 170 An election whose freedom was in fact impaired in any way whatever is invalid by the law itself.

Can. 171 § 1. Those persons are ineligible to vote: (1) who are incapable of placing a human act; (2) who lack active voice; (3) who have been excommunicated either by a judicial sentence or by a decree in virtue of which the penalty has been inflicted or declared; (4) who have notoriously defected from the communion of the Church. § 2. If one of the above has been admitted, the vote is null but the election is valid, unless ( nisi) it is clear that by subtracting the vote the person elected did not receive the required number of votes.

Can. 172 § 1. For a vote to be valid it must be: (1) free; therefore, a vote is invalid if one has been coerced directly or indirectly by grave fear or by fraud to vote for a certain person or different persons disjunctively; (2) secret, certain, absolute, determinate. § 2. Conditions appended to a vote prior to the election are to be considered as not having been appended.

Can. 173 § 1. Before the election begins at least two tellers are to be designated from the membership of the college or group. § 2. The tellers are to gather the ballots, determine in the presence of the presiding officer that the number of ballots is the same as the number of electors, read the ballots themselves and announce clearly how many votes each person received. § 3. If the number of ballots exceeds the number of electors the vote is invalid. § 4. The secretary is to record accurately all the acts of the election and carefully preserve them in the file of the college, after signing them along with at least the presiding officer and the tellers.

Can. 174 § 1. Unless ( nisi) the law or the statutes provide otherwise, an election can also be effected by compromise, provided ( dummodo) that the electors unanimously and in writing consent to transfer to a qualified individual or to several qualified individuals, from within the membership or from outside it, the right to elect for that instance; such person or persons elect in the name of all in virtue of the faculty they have received. § 2. In the case of a college or group composed only of clerics, the persons commissioned must themselves be ordained; otherwise the election is invalid. § 3. The persons commissioned must observe the prescriptions of law concerning elections and, for the validity of the election, they must fulfill whatever conditions have been attached to the compromise agreement.
which are not contrary to law; conditions contrary to the law, however, are to be considered as not having been attached.

**Can. 175** The compromise is terminated and the right to elect reverts to the electors authorizing the compromise: (1) by revocation by the college or group, before the persons commissioned have begun to act; (2) if a condition attached to the compromise agreement has not been fulfilled; (3) if the election has been completed but is invalid.

**Can. 176** Unless (nisi) the law or the statutes provide otherwise, the person who has received the required number of votes according to the norm of can. 119, n. 1, is to be considered elected, and this is to be announced by the presiding officer of the college or the group.

**Can. 177** § 1. The election is to be communicated forthwith to the person elected, who must, within eight days of available time after having been notified, inform the college or the presiding officer of the group whether or not he or she accepts the election; otherwise the election has no effect. § 2. A person elected who does not accept loses any right deriving from the election and does not regain any such right by a subsequent acceptance; such a person however, can be elected again; the college or group must proceed to a new election within a month of notification of the nonacceptance.

**Can. 178** The person elected who has accepted the election immediately acquires the office in full right if the election does not require confirmation; otherwise the person acquires only the right to the office.

**Can. 179** § 1. If the election requires confirmation the person elected must personally or through someone else request confirmation by the competent authority within eight days of available time from the day of acceptance of the election; otherwise the person elected is deprived of any right unless (nisi) it is proved that the person has been constrained from petitioning confirmation by a just impediment. § 2. The competent authority cannot deny confirmation if the person elected is qualified according to the norm of can. 149, § 1, and the election was conducted in accord with the law. § 3. The confirmation must be given in writing. § 4. Before being informed of confirmation the person may not become involved in the administration of the office, whether this be in matters spiritual or temporal, and any acts placed by such a person are invalid. § 5. Once notified of
confirmation the person elected acquires the office in full right, unless (nisi) the law provides otherwise.

Can. 180 § 1. If a canonical impediment, which can be and usually is dispensed, prevents the election of the person whom the electors believe to be more qualified and whom they prefer, they can vote to postulate such a person from the competent authority, unless (nisi) something else is provided by the law. § 2. Those commissioned to elect in virtue of a compromise cannot postulate anyone unless (nisi) this was expressed in their document of compromise.

Can. 181 § 1. At least two thirds of the votes are required for postulation to have any effect. § 2. A vote for postulation must be expressed by the words, "I postulate," or the equivalent; the formula "I elect or I postulate" or the equivalent, is valid for an election if an impediment does not exist, otherwise for a postulation.

Can. 182 § 1. A postulation must be sent within eight days of available time by the presiding officer to the competent authority to whom confirmation of the election belongs, who is authorized to grant the dispensation from the impediment, or, lacking the faculty to do so, to request the dispensation from a higher authority; if confirmation is not required, the postulation must be sent to the competent authority so that the dispensation may be granted. § 2. If the postulation has not been sent within the prescribed time, it is by that very fact invalid and the college or group is deprived for that instance of the right to elect or postulate, unless (nisi) it is demonstrated that the presiding officer had been constrained from forwarding the postulation by a just impediment, or had failed to send it at the opportune time out of fraud or negligence. § 3. The one postulated acquires no right from the postulation; the competent authority is not obliged to admit it. § 4. The electors cannot revoke a postulation already sent to a competent authority unless (nisi) this authority consents to it.

Can. 183 § 1. If the postulation has not been admitted by the competent authority the right of electing reverts to the college or group. § 2. But if the postulation has been admitted, this is to be made known to the one postulated, who is obliged to respond according to the norm of can. 177, § 1. § 3. The person who accepts the postulation which has been admitted immediately acquires the office in full right.
Can. 184 § 1. Ecclesiastical office is lost by the lapse of a predetermined time, by reaching the age determined by the law, by resignation, by transfer, by removal and by privation. § 2. An ecclesiastical office is not lost by the expiration in any way of the authority of the one who conferred it, unless (nisi) the law provides otherwise. § 3. The loss of an office once it has taken effect, is to be made known as soon as possible to all who enjoy any right with respect to the provision of the office.

Can. 185 The title of emeritus can be conferred upon the person who loses an office by reason of age or by a resignation which has been accepted.

Can. 186 Loss of office by lapse of the determined time or by reaching a certain age takes effect only from the moment when it has been communicated in writing by the competent authority.

Can. 187 Any person of sound mind can resign an ecclesiastical office for a just cause.

Can. 188 A resignation submitted out of grave fear, which has been unjustly afflicted, or because of fraud, substantial error or simony is invalid by the law itself.

Can. 189 § 1. To be valid a resignation, whether it requires acceptance or not, must be submitted to the authority who is responsible for the provision of the office, and this is to be done in writing or orally in the presence of two witnesses. § 2. The authority is not to accept a resignation which is not based on a just and proportionate cause. § 3. A resignation which requires acceptance lacks all effect if it is not accepted within three months; one which does not require acceptance takes effect when it has been communicated by the one resigning in accord with the norm of law. § 4. A resignation can be withdrawn by the one resigning as long as it has not yet become effective; once it has become effective it cannot be withdrawn, but a person who has resigned can obtain the office by some other title.

Can. 190 § 1. Transfer can be effected only by one who has the right of providing for the office which is being lost as well as for the office which is being conferred. § 2. If a transfer is to be made when the officeholder is unwilling, a grave cause is required and the procedure prescribed by law is to be observed, with due regard for the right to bring forward arguments.
against the transfer. § 3. To take effect a transfer must be communicated in writing.

**Can. 191** § 1. In the event of a transfer, the prior office becomes vacant through canonical possession of the other office unless (nisi) the law provides otherwise or something else has been prescribed by the competent authority. § 2. The person transferred continues to receive the compensation assigned to the prior office until taking canonical possession of the other office.

**Can. 192** A person is removed from office either by a decree legitimately issued by a competent authority, with due regard for the rights which may have been acquired by contract, or by the law itself according to the norm of can. 194.

**Can. 193** § 1. A person cannot be removed from an office conferred for an indefinite period of time except (nisi) for grave reasons and according to the procedure determined by law. § 2. The same holds for the removal of someone from an office conferred for a specified period of time before the term has expired, with due regard for the prescription of can. 624, § 3. § 3. When, in accord with the prescriptions of law, an office has been conferred on someone at the prudent discretion of a competent authority, that person can be removed from office for a cause which is, in the judgment of the same authority, considered just. § 4. In order to be effective the decree of removal must be communicated in writing.

**Can. 194** § 1. One is removed from an ecclesiastical office by the law itself: (1) who has lost the clerical state; (2) who has publicly defected from the Catholic faith or from the communion of the Church; (3) a cleric who has attempted marriage even if only civilly. § 2. The removal from office referred to in nn. 2 and 3 can be enforced only if is established by the declaration of a competent authority.

**Can. 195** If a person is removed from an office which is the source of financial support, not by the law itself, but by a decree of the competent authority, this same authority is to take care such support is seen to for a suitable time unless (nisi) it is provided otherwise.

**Can. 196** § 1. Privation of office, namely removal as a penalty for an offense can be effected only according to the norm of law. § 2. Privation takes effect in accord with the prescriptions of the canons on penal law.
Can. 197 The Church accepts prescription as it exists in the civil legislation of the respective nations, as a means of acquiring or losing a subjective right and of freeing oneself from obligations, the exceptions which are determined in the canons of this Code remaining intact.

Can. 198 No prescription has any effect which is not grounded in good faith, not only at the beginning but through the entire course of the time required for prescription with due regard for the prescription of can. 1362.

Can. 199 Not subject to prescription are: (1) rights and obligations which are of the divine natural or positive law; (2) rights which can be acquired only from an apostolic privilege; (3) rights and obligations which directly affect the spiritual life of the Christian faithful; (4) the certain and unchallenged boundaries of ecclesiastical territories; (5) Mass stipends and obligations; (6) the provision of an ecclesiastical office which requires the exercise of a sacred order, according to the norm of law; (7) the right of visitation and the obligation of obedience if it should result that the Christian faithful can be visited by no ecclesiastical authority and are no longer subject to any ecclesiastical authority.

Can. 200 Time is computed according to the norms of the following canons unless (nisi) otherwise expressly provided by law.

Can. 201 § 1. Continuous time is understood as that which is subject to no interruption. § 2. Available time is understood as that which a person has to exercise or pursue a right but which does not run if the person is unaware or unable to act.

Can. 202 § 1. In the law, a day is understood as a period of time consisting of 24 continuous hours, and it begins at midnight, unless (nisi) otherwise expressly provided; a week is a period of 7 days; a month is a period of 30 days and a year one of 365 days, unless (nisi) the month and the year are said to be taken as they appear in the calendar. § 2. If the time is continuous, a month and a year are always to be taken as they appear in the calendar.

Can. 203 § 1. The day from which the computation is to be made is not counted in the total, unless (nisi) the beginning of the reckoning coincides with the beginning of the day or unless the law expressly provides otherwise. § 2. Unless (nisi) the contrary is determined the final day is counted in the total, in such a way that, if the total consists of one or more
months or years, of one or more weeks, the terminus is reached at the end of the last day of the same number or, if the months lacks a day of the same number, at the end of the last day of the month.

BOOK II: ON THE PEOPLE OF GOD

PART ONE: THE CHRISTIAN FAITHFUL

Can. 204 § 1. The Christian faithful are those who, inasmuch as they have been incorporated in Christ through baptism, have been constituted as the people of God; for this reason, since they have become sharers in Christ's priestly, prophetic and royal office in their own manner, they are called to exercise the mission which God has entrusted to the Church to fulfill in the world, in accord with the condition proper to each one. § 2. This Church, constituted and organized as a society in this world, subsists in the Catholic Church, governed by the successor of Peter and the bishops in communion with him.

Can. 205 Those baptized are fully in communion with the Catholic Church on this earth who are joined with Christ in its visible structure by the bonds of profession of faith, of the sacraments and of ecclesiastical governance.

Can. 206 § 1. Catechumens are in union with the Church in a special manner, that is, under the influence of the Holy Spirit, they ask to be incorporated into the Church by explicit choice and are therefore united with the Church by that choice just as by a life of faith, hope and charity which they lead; the Church already cherishes them as its own. § 2. The Church has special care for catechumens; the Church invites them to lead the evangelical life and introduces them to the celebration of sacred rites, and grants them various prerogatives which are proper to Christians.

Can. 207 § 1. Among the Christian faithful by divine institution there exist in the Church sacred ministers, who are also called clerics in law, and other Christian faithful, who are also called laity. § 2. From both groups there exist Christian faithful who are consecrated to God in their own special manner and serve the salvific mission of the Church through the profession of the evangelical counsels by means of vows or other sacred bonds recognized and sanctioned by the Church. Although their state does not belong to the hierarchical structure of the Church, they nevertheless do belong to its life and holiness.
Can. 208 In virtue of their rebirth in Christ there exists among all the Christian faithful a true equality with regard to dignity and the activity whereby all cooperate in the building up of the Body of Christ in accord with each one's own condition and function.

Can. 209 § 1. The Christian faithful are bound by an obligation, even in their own patterns of activity, always to maintain communion with the Church. § 2. They are to fulfill with great diligence the duties which they owe to the universal Church and to the particular church to which they belong according to the prescriptions of law.

Can. 210 All the Christian faithful must make an effort, in accord with their own condition, to live a holy life and to promote the growth of the Church and its continual sanctification.

Can. 211 All the Christian faithful have the duty and the right to work so that the divine message of salvation may increasingly reach the whole of humankind in every age and in every land.

Can. 212 § 1. The Christian faithful, conscious of their own responsibility, are bound by Christian obedience to follow what the sacred pastors, as representatives of Christ, declare as teachers of the faith or determine as leaders of the Church. § 2. The Christian faithful are free to make known their needs, especially spiritual ones, and their desires to the pastors of the Church. § 3. In accord with the knowledge, competence and preeminence which they possess, they have the right and even at times a duty to manifest to the sacred pastors their opinion on matters which pertain to the good of the Church, and they have a right to make their opinion known to the other Christian faithful, with due regard for the integrity of faith and morals and reverence toward their pastors, and with consideration of the common good and dignity of persons.

Can. 213 The Christian faithful have the right to receive assistance from the sacred pastors out of the spiritual goods of the Church, especially the word of God and the sacraments.

Can. 214 The Christian faithful have the right to worship God according to the prescriptions of their own rite approved by the legitimate pastors of the Church, and to follow their own form of spiritual life consonant with the teaching of the Church.
**Can.** 215 The Christian faithful are at liberty freely to found and to govern associations for charitable and religious purposes or for the promotion of the Christian vocation in the world; they are free to hold meetings to pursue these purposes in common.

**Can.** 216 All the Christian faithful, since they participate in the mission of the Church, have the right to promote or to sustain apostolic action by their own undertakings in accord with each one's state and condition; however, no undertaking shall assume the name Catholic unless (nisi) the consent of competent ecclesiastical authority is given.

**Can.** 217 The Christian faithful since they are called by baptism to lead a life in conformity with the teaching of the gospel, have the right to a Christian education by which they will be properly instructed so as to develop the maturity of a human person and at the same time come to know and live the mystery of salvation.

**Can.** 218 Those who are engaged in the sacred disciplines enjoy a lawful freedom of inquiry and of prudently expressing their opinions on matters in which they have expertise, while observing a due respect for the magisterium of the Church.

**Can.** 219 All the Christian faithful have the right to be free from any kind of coercion in choosing a state in life.

**Can.** 220 No one is permitted to damage unlawfully the good reputation which another person enjoys nor to violate the right of another person to protect his or her own privacy.

**Can.** 221 § 1. The Christian faithful can legitimately vindicate and defend the rights which they enjoy in the Church before a competent ecclesiastical court in accord with the norm of law. § 2. The Christian faithful also have the right, if they are summoned to judgment by competent authority, that they be judged in accord with the prescriptions of the law to be applied with equity. § 3. The Christian faithful have the right not to be punished with canonical penalties except (nisi) in accord with the norm of law.

**Can.** 222 § 1. The Christian faithful are obliged to assist with the needs of the Church so that the Church has what is necessary for divine worship, for apostolic works and works of charity and for the decent sustenance of
ministers. § 2. They are also obliged to promote social justice and, mindful of the precept of the Lord, to assist the poor from their own resources.

**Can.** 223 § 1. In exercising their rights the Christian faithful, both as individuals and when gathered in associations, must take account of the common good of the Church and of the rights of others as well as their own duties toward others. § 2. In the interest of the common good, ecclesiastical authority has competence to regulate the exercise of the rights which belong to the Christian faithful.

**Can.** 224 In addition to those obligations and rights which are common to all the Christian faithful and those which are determined in other canons, the lay Christian faithful are bound by the obligations and possess the rights which are enumerated in the canons of this title.

**Can.** 225 § 1. Since the laity like all the Christian faithful are deputed by God to the apostolate through their baptism and confirmation, they are therefore bound by the general obligations and enjoy the general right to work as individuals or in associations so that the divine message of salvation becomes known and accepted by all persons throughout the world; this obligation has a greater impelling force in those circumstances in which people can hear the gospel and know Christ only through lay persons. § 2. Each lay person in accord with his or her condition is bound by a special duty to imbue and perfect the order of temporal affairs with the spirit of the gospel; they thus give witness to Christ in a special way in carrying out those affairs and in exercising secular duties.

**Can.** 226 § 1. Lay persons who live in the married state in accord with their own vocation are bound by a special duty to work for the upbuilding of the people of God through their marriage and their family. § 2. Because they have given life to their children, parents have a most serious obligation and enjoy the right to educate them; therefore Christian parents are especially to care for the Christian education of their children according to the teaching handed on by the Church.

**Can.** 227 Lay Christian faithful have the right to have recognized that freedom in the affairs of the earthly city which belongs to all citizens; when they exercise such freedom, however, they are to take care that their actions are imbued with the spirit of the gospel and take into account the doctrine set forth by the magisterium of the Church; but they are to avoid
proposing their own opinion as the teaching of the Church in questions which are open to various opinions.

**Can. 228 § 1.** Qualified lay persons are capable of assuming from their sacred pastors those ecclesiastical offices and functions which they are able to exercise in accord with the prescriptions of law. **§ 2.** Lay persons who excel in the necessary knowledge, prudence, and uprightness are capable of assisting the pastors of the Church as experts or advisors; they can do so even in councils, in accord with the norm of law.

**Can. 229 § 1.** Lay persons are bound by the obligation and possess the right to acquire a knowledge of Christian doctrine adapted to their capacity and condition so that they can live in accord with that doctrine, announce it, defend it when necessary, and be enabled to assume their role in exercising the apostolate. **§ 2.** Lay persons also possess the right to acquire that deeper knowledge of the sacred sciences which are taught in ecclesiastical universities or faculties or in institutes of religious sciences by attending classes and obtaining academic degrees. **§ 3.** Likewise, the prescriptions as to the required suitability having been observed, lay persons are capable of receiving from legitimate ecclesiastical authority a mandate to teach the sacred sciences.

**Can. 230 § 1.** Lay men who possess the age and qualifications determined by decree of the conference of bishops can be installed on a stable basis in the ministries of lector and acolyte in accord with the prescribed liturgical rite; the conferral of these ministries, however, does not confer on these lay men a right to obtain support or remuneration from the Church. **§ 2.** Lay persons can fulfill the function of lector during liturgical actions by temporary deputation; likewise all lay persons can fulfill the functions of commentator or cantor or other functions, in accord with the norm of law. **§ 3.** When the necessity of the Church warrants it and when ministers are lacking, lay persons, even if they are not lectors or acolytes, can also supply for certain of their offices, namely, to exercise the ministry of the word, to preside over liturgical prayers, to confer baptism, and to distribute Holy Communion in accord with the prescriptions of law.

**Can. 231 § 1.** Lay persons who devote themselves permanently or temporarily to some special service of the Church are obliged to acquire the appropriate formation which is required to fulfill their function properly and to carry it out conscientiously, zealously, and diligently. **§ 2.** With due regard
for can. 230, § 1, they have a right to a decent remuneration suited to their condition; by such remuneration they should be able to provide decently for their own needs and for those of their family with due regard for the prescriptions of civil law; they likewise have a right that their pension, social security and health benefits be duly provided.

**Can. 232** The Church has the duty and the proper and exclusive right to form those who are commissioned for the sacred ministries.

**Can. 233** § 1. A duty rests upon the entire Christian community to foster vocations so that sufficient provision is made for the needs of the sacred ministry throughout the entire Church; Christian families, educators and in a special way priests, especially pastors (parochus), are particularly bound by this duty. Since it is principally the concern of diocesan bishops to promote vocations, they should instruct the people entrusted to them concerning the importance of the sacred ministry and the necessity of ministers in the Church; therefore they are to encourage and support endeavors to foster vocations by means of projects especially established for that purpose. § 2. Moreover priests, and especially diocesan bishops, are also to be solicitous that men of a more mature age who consider themselves called to the sacred ministries are prudently assisted in word and in deed and duly prepared.

**Can. 234** § 1. Wherever minor seminaries or other such institutions exist they are to be maintained and supported; such institutions are those in which, for the sake of fostering vocations, special religious formation along with instruction in the humanities and sciences is provided; whenever the diocesan bishop judges it expedient he should provide for the erection of a minor seminary or a similar institution. § 2. Unless (nisi) in certain cases circumstances indicate otherwise, young men who intend to be advanced to the priesthood are to be equipped with that training in the humanities and sciences by which young people in their own region are prepared to pursue higher studies.

**Can. 235** § 1. Young men who intend to enter the priesthood are to be given a suitable spiritual formation and trained for the duties of the priesthood in a major seminary throughout the entire time of formation, or, if circumstances demand it in the judgment of the diocesan bishop, at least for four years. § 2. Those who legitimately live outside a seminary are to be
entrusted by the diocesan bishop to a devout and suitable priest, who is to see to it that they are carefully formed in the spiritual life and in discipline.

**Can. 236** According to the prescriptions of the conference of bishops, aspirants to the permanent diaconate are to be formed to nourish a spiritual life and instructed in the correct fulfillment of the duties proper to this order in the following manner: (1) young men are to live for at least three years in some special house unless ( nisi) the diocesan bishop decides otherwise for serious reasons; (2) men or a more mature age, whether celibate or married, are to spend three years in a program determined by the conference of bishops.

**Can. 237 § 1.** Wherever it is possible and expedient, there is to be a major seminary in every diocese; otherwise the students who are preparing themselves for the sacred ministries are to be entrusted to another seminary, or an interdiocesan seminary is to be erected. **§ 2.** An interdiocesan seminary is not to be erected unless ( nisi) the approval of the Apostolic See has first been obtained for both its erection and its statutes; the approval will be obtained by the conference of bishops if it involves the entire territory, otherwise by the bishops involved.

**Can. 238 § 1.** By the law itself seminaries legitimately erected possess juridic personality in the Church. **§ 2.** The rector of the seminary represents it in the handling of all matters unless ( nisi) the competent authority has determined otherwise concerning certain matters.

**Can. 239 § 1.** Every seminary is to have a rector who presides over it, a vicerector if necessary, and a finance officer; moreover, if the students pursue their studies within the seminary itself it is also to have teachers who give instruction in the several disciplines in an appropriately coordinated curriculum. **§ 2.** Every seminary is to have at least one spiritual director; the students, however, are free to approach other priests who have been appointed for this function by the bishop. **§ 3.** The statutes of the seminary are to provide for ways in which the other moderators, professors, and even the students themselves share in the concerns of the rector especially regarding the observance of discipline.

**Can. 240 § 1.** In addition to the ordinary confessors, other confessors are to come regularly to the seminary; moreover, with due regard for the discipline of the seminary, a student is always at liberty to go to any
confessor in the seminary or outside of it. § 2. In making decisions concerning the admission of students to orders or their dismissal from the seminary, the opinion of the spiritual director and the confessors can never be sought.

Can. 241 § 1. The diocesan bishop is to admit to the major seminary only those who are judged capable of dedicating themselves permanently to the sacred ministries in light of their human, moral, spiritual and intellectual characteristics, their physical and psychological health and their proper motivation. § 2. Before they are accepted, they must submit documents certifying that baptism and confirmation have been received and other documents which are required in accord with the prescriptions of the program for priestly formation. § 3. When persons seek admission after they have been dismissed from another seminary or from a religious institute, further testimony is required from their respective superior, especially regarding the cause of their dismissal or their leaving.

Can. 242 § 1. Each nation should have a program for priestly formation which is to be determined by the conference of bishops in light of the norms issued by the supreme authority of the Church and which is also to be approved by the Holy See; when new circumstances require it the program is to be updated with the similar approval of the Holy See; this program is to define the main principles for imparting formation in the seminary as well as general norms which have been adapted to the pastoral needs of each region or province. § 2. The norms of the program mentioned in § 1 are to be observed in all seminaries, both diocesan and interdiocesan.

Can. 243 Furthermore, each seminary is to have its own rule, approved by the diocesan bishop or, in the case of an interdiocesan seminary, by the bishops involved; in the seminary rule the norms of the program for priestly formation should be adapted to particular circumstances, and those areas of discipline which affect the daily life of the students and the order of the entire seminary are to be determined more precisely.

Can. 244 The spiritual formation of the students in the seminary and their doctrinal instruction are to be harmonized and arranged so that in accord with the unique character of each student, they acquire the spirit of the gospel and a close relationship with Christ along with appropriate human maturity.
Can. 245 § 1. Through their spiritual formation the students are to become equipped to exercise fruitfully the pastoral ministry and they are to be formed in a missionary spirit; in the course of their formation they are to learn that a ministry which is always carried out in living faith and in charity fosters their own sanctity; they are to learn to cultivate those virtues which are highly valued in human relations so that they can achieve an appropriate integration of human and supernatural qualities. § 2. The students are to be so formed that, imbued with the love for the Church of Christ, they are devoted with a humble and filial love to the Roman Pontiff, the successor of Peter, are attached to their own bishop as his trustworthy coworkers, and work as companions with their brothers; through the common life in the seminary and through cultivating relationships of friendship and association with others they are to be prepared for fraternal union with the diocesan presbyterate, with whose members they will share in the service of the Church.

Can. 246 § 1. The celebration of the Most Holy Eucharist is to be the center of the entire life of the seminary, so that daily the students, sharing in the very love of Christ, may draw especially from this richest of all sources the strength of spirit needed for their apostolic work and their spiritual life. § 2. They are to be formed to celebrate the liturgy of the hours by which the ministers of God pray to God in the name of the Church on behalf of all the people committed to them, indeed on behalf of the entire world. § 3. Devotion to the Blessed Virgin Mary, including the rosary, mental prayer and other devotional exercises are to be fostered so that the students acquire a spirit of prayer and gain strength in their vocation. § 4. The students are to become accustomed to approach the sacrament of penance frequently, and it is also recommended that each one have a director for his spiritual life who has been freely chosen and to whom he can open his conscience with confidence. § 5. Each year the students are to make a retreat.

Can. 247 § 1. The students are to be prepared through suitable education to observe the state of celibacy, and they are also to learn to honor it as a special gift of God. § 2. They are to be duly informed of the duties and burdens of sacred ministers of the Church; no difficulty of the priestly life is to be kept back from them.

Can. 248 The doctrinal instruction which is to be given has as its goal that the students acquire, along with a general culture which is in accord with the
needs of time and place, extensive and solid learning in the sacred disciplines; after they have thereby been grounded and nourished in their own faith, they should be able to announce the teaching of the gospel in a suitable fashion to the people of their times and in a manner which is adapted to their understanding.

**Can.** 249 The program for priestly formation is to make provision that the students are not only carefully taught their native language but also that they are well skilled in the Latin language; they are also to have a suitable familiarity with those foreign languages which seem necessary or useful for their own formation or for the exercise of pastoral ministry.

**Can.** 250 Philosophical and theological studies which are conducted in the seminary itself can be pursued successively or conjointly in accord with the program of priestly formation; these studies are to encompass a period of at least six full years in such a way that two full years are devoted to the philosophical disciplines and four full years to theological studies.

**Can.** 251 Philosophical training ought to be based upon that heritage of philosophy which is perennially valid, and it also is to take into account contemporary philosophical investigation; it is to be so imparted that it perfects the human development of the students, sharpens their minds, and renders them more suitable for pursuing theological studies.

**Can.** 252  § 1. Theological training is to be so imparted in the light of faith and under the guidance of the magisterium that the students have a thorough understanding of Catholic doctrine in its integrity based on divine revelation, that they gather nourishment from it for their own spiritual lives, and that they can properly announce and safeguard it in the exercise of their ministry.  § 2. The students are to be taught Sacred Scripture with special diligence so that they acquire a perception of the whole of Sacred Scripture.  § 3. There are to be classes in dogmatic theology which are always to be based upon the written word of God along with sacred tradition, in which the students may learn to penetrate ever more profoundly the mysteries of salvation, with St. Thomas as their teacher in a special way; there are likewise to be classes in moral and pastoral theology, in canon law, liturgy, church history, and other auxiliary and special disciplines; all these classes should be in accord with the prescriptions of the program for priestly formation.
**Can.** 253 § 1. Only those persons are to be appointed by the appropriate bishop or bishops to teach the philosophical, theological and juridical disciplines in a seminary who, being outstanding in virtue, have obtained a doctorate or licentiate from a university or faculty recognized by the Holy See. § 2. Care is to be taken that distinct and individual teachers are appointed to teach Sacred Scripture, dogmatic theology, moral theology, liturgy, philosophy, canon law, church history, and other disciplines all of which are to be taught in accord with their own proper methodology. § 3. A teacher who is seriously deficient in his or her duty, is to be removed by the authority mentioned in § 1. Can. 254 § 1. In imparting their disciplines, teachers are to be constantly concerned for the close unity and harmony of the entire doctrine of the faith so that their students experience that they are learning one science; in order for this objective to be more suitably realized, there is to be someone in the seminary who moderates the whole curriculum of studies (director of studies). § 2. The students are to be instructed so that they become capable of examining questions in a scientific method through their own qualified research; therefore projects are to be conducted under the supervision of the teachers by which the students learn to pursue certain studies through their own efforts.

**Can.** 255 Although the entire formation of the students in the seminary is for a pastoral purpose, strictly pastoral training is also to be arranged by which the students are taught the principles and skills which pertain to the ministry of teaching, sanctifying and ruling the people of God in light of the needs of the place and time.

**Can.** 256 § 1. The students are to be instructed diligently in those matters which have a special relationship to sacred ministry, especially catechetics and homiletics, the celebration of divine worship, particularly that of the sacraments, the conducting of relationships with people, even non-Catholics or non-believers, the administration of a parish, and the fulfillment of all other duties. § 2. The students are to be instructed in the needs of the universal Church so that they have a concern for the promotion of vocations, for missionary questions, for ecumenical concerns and other more urgent issues including those of a social nature.

**Can.** 257 § 1. The formation of students is to prepare them so that they are concerned not only for the particular church into whose service they are incardinated but also for the universal Church; hence they are to show that
they are ready to devote themselves to particular churches which are in serious need. § 2. The diocesan bishop is to take care that the clergy who intend to transfer from their own particular church to a particular church in another region are suitably prepared to exercise the sacred ministry there, namely, that they learn the language of that region and understand the region's institutions, social conditions, usages, and customs.

**Can.** 258 In order that they may also learn through practice the art of exercising the apostolate, during the course of their studies and especially during the holiday times the students are to be initiated into pastoral practice; this is to be accomplished by means of suitable activities, determined by the judgment of the ordinary and adapted to the age of the students and to local conditions and always under the supervision of a skilled priest.

**Can.** 259 § 1. The diocesan bishop, or, if it is a question of an interdiocesan seminary, the bishops involved, are competent to make decisions concerning the above-mentioned governance and administration of the seminary. § 2. The diocesan bishop, or, if it is a question of an interdiocesan seminary, the bishops involved, are to visit the seminary frequently in person; they are to watch over the formation of the students and the philosophical and theological instruction given them in the seminary; they are also to keep themselves informed concerning their students' vocations, character, piety and progress, especially in view of the conferral of sacred ordination.

**Can.** 260 In carrying out their duties all are to obey the rector who has the responsibility to see to the daily administration of the seminary in accord with the norms of the program for priestly formation and the rule of the seminary.

**Can.** 261 § 1. The rector of the seminary and, under his authority, the moderators and teachers for their part are to see to it that the students exactly observe the norms of the program for priestly formation and the prescriptions of the rule of the seminary. § 2. The rector of the seminary and the director of studies are carefully to see to it that the teachers duly perform their function in accord with the prescriptions of the program for priestly formation and the rule of the seminary.
Can. 262 The seminary is to be exempt from parochial governance; the rector of the seminary or his delegate is to fulfill the office of pastor (parochus) for all who are in the seminary, with the exception of matrimonial matters and with due regard for the prescription of can. 985.

Can. 263 The diocesan bishop must see to it that provision is made for the establishment and maintenance of the seminary, the support of the students, the remuneration of the teachers, and other needs of the seminary; if the seminary is interdiocesan the bishops involved must make such provisions based upon a mutual agreement worked out by them.

Can. 264 § 1. In addition to the collection mentioned in can. 1266 the bishop can impose a tax within the diocese to provide for the needs of the seminary. § 2. All ecclesiastical juridic persons, even private ones, which have a foundation in the diocese are subject to this tax for the seminary, unless ( nisi) they are maintained through alms alone or they contain a college of students or teachers to promote the common good of the Church; a tax of this type must be general, proportioned to the revenues of those who are subject to it, and determined in accord with the needs of the seminary.

Can. 265 Every cleric must be incardinated into some particular church or personal prelature or into an institute of consecrated life or society endowed with this faculty, so that unattached or transient clerics are not allowed at all.

Can. 266 § 1. A person becomes a cleric through the reception of diaconate and is incardinated into the particular church or personal prelature for whose service he has been advanced. § 2. A professed member of a religious institute in perpetual vows or a definitively incorporated member of a clerical society of apostolic life is incardinated as a cleric to the institute or society through the reception of diaconate unless ( nisi) in the case of societies their constitutions establish otherwise. § 3. A member of a secular institute is incardinated into a particular church for whose service he has been advanced through the reception of diaconate unless ( nisi) he is incardinated into the institute itself by virtue of a grant of the Apostolic See.

Can. 267 § 1. In order for a cleric already incardinated to be incardinated validly into another particular church, he must obtain from the diocesan bishop a letter of excardination signed by the bishop; he must likewise
obtain from the diocesan bishop of the particular church into which he desires to be incardinated a letter of incardination signed by that bishop. § 2. Excardination thus granted does not take effect unless (nisi) incardination into another particular church has been obtained.

Can. 268 § 1. A cleric who has legitimately moved from his own particular church into another one is incardinated into this other particular church by the law itself after five years if he made such a desire known in writing both to the diocesan bishop of the host church and to his own diocesan bishop and provided neither of them informed the cleric of his opposition in writing within four months of the reception of his letter. § 2. Through perpetual or definitive admission to an institute of consecrated life or to a society of apostolic life a cleric who is incardinated into that institute or society in accord with the norm of can. 266, § 2 is excardinated from his own particular church.

Can. 269 A diocesan bishop is not to allow the incardination of a cleric unless (nisi): (1) the necessity or advantage of his own particular church demands it, with due regard for the prescriptions of the law concerning the decent support of clerics; (2) he is certain from a legitimate document that excardination has been granted, and he also has in addition appropriate testimonials from the excardinating diocesan bishop, in secrecy if necessary, concerning the cleric’s life, morals, and studies; (3) the cleric has declared in writing to the same diocesan bishop that he wishes to be dedicated to the service of the new particular church in accord with the norm of law.

Can. 270 Excardination can be granted licitly for just causes only, such as the benefit of the Church or the good of the cleric himself; however, it cannot be denied except (nisi) for serious reasons; a cleric, however, who thinks that he has been wronged and who has found a bishop to accept him may have recourse against the decision.

Can. 271 § 1. Outside the case of the true necessity of his own particular church, the diocesan bishop is not to deny clerics permission to move to regions which suffer from a serious dearth of clergy and to exercise the sacred ministry there when he knows that such clerics are prepared and when he judges them fit to do so; he is also to make provision that the rights and duties of these clerics are established through a written agreement with the diocesan bishop of the place where they are going. § 2. A diocesan bishop can grant his clerics permission to move to another
particular church for a predetermined period of time which can be renewed several times; such clerics remain incardinated in their own particular church and, when they return to it, they possess all the rights which they would have had if they had exercised the sacred ministry there. § 3. A cleric who has legitimately moved to another particular church while remaining incardinated in his own church can for a just cause be recalled by his own diocesan bishop provided (dummodo) the agreements made with the other bishop and natural equity are observed; under the same conditions the diocesan bishop of the other particular church can likewise for a just cause deny the same cleric permission for a longer stay in his territory.

Can. 272 A diocesan administrator cannot grant excardination, incardination or permission to move to another particular church unless (nisi) the episcopal see has been vacant for a year and unless he has the consent of the college of consultors.

Can. 273 Clerics are bound by a special obligation to show reverence and obedience to the Supreme Pontiff and to their own ordinary.

Can. 274 § 1. Only clerics can obtain those offices for whose exercise there is required the power of orders or the power of ecclesiastical governance. § 2. Unless (nisi) they are excused by a legitimate impediment, clerics are bound to undertake and faithfully fulfill a duty which has been entrusted to them by their ordinary.

Can. 275 § 1. Since they all work toward one end, the building up of the Body of Christ, clerics are to be united among themselves by the bond of brotherhood and of prayer; they are to strive for cooperation among themselves in accord with the prescriptions of particular law. § 2. Clerics are to acknowledge and promote that mission which lay persons exercise in their own way in the Church and in the world.

Can. 276 § 1. In leading their lives clerics are especially bound to pursue holiness because they are consecrated to God by a new title in the reception of orders as dispensers of God's mysteries in the service of His people. § 2. In order for them to pursue this perfection: (1) first of all they are faithfully and untiringly to fulfill the duties of pastoral ministry; (2) they are to nourish their spiritual life from the twofold table of Sacred Scripture and the Eucharist; priests are therefore earnestly invited to offer the sacrifice of the Eucharist daily and deacons are earnestly invited to participate daily in
offering it; (3) priests as well as deacons aspiring to the priesthood are obliged to fulfill the liturgy of the hours daily in accordance with the proper and approved liturgical books; permanent deacons, however, are to do the same to the extent it is determined by the conference of bishops; (4) they are also bound to make a retreat according to the prescriptions of particular law; (5) they are to be conscientious in devoting time regularly to mental prayer, in approaching the sacrament of penance frequently, in cultivating special devotion to the Virgin Mother of God, and in using other common and particular means for their sanctification.

**Can. 277 § 1.** Clerics are obliged to observe perfect and perpetual continence for the sake of the kingdom of heaven and therefore are obliged to observe celibacy, which is a special gift of God, by which sacred ministers can adhere more easily to Christ with an undivided heart and can more freely dedicate themselves to the service of God and humankind. § 2. Clerics are to conduct themselves with due prudence in associating with persons whose company could endanger their obligation to observe continence or could cause scandal for the faithful. § 3. The diocesan bishop has the competence to issue more specific norms concerning this matter and to pass judgment in particular cases concerning the observance of this obligation.

**Can. 278 § 1.** Secular clerics have the right to associate with others for the purpose of pursuing ends which befit the clerical state. § 2. Secular clerics are to place great value upon those associations in particular which, having statutes recognized by competent authority, foster holiness in the exercise of the ministry by means of a suitable and properly approved style of life and by means of fraternal assistance, and which promote the unity of the clergy among themselves and with their own bishop. § 3. Clerics are to refrain from establishing or participating in associations whose ends or activity cannot be reconciled with the obligations proper to the clerical state or which could hinder the diligent fulfillment of the duty entrusted to them by competent ecclesiastical authority.

**Can. 279 § 1.** Even after their ordination to the priesthood clerics are to continue to pursue sacred studies; they are to strive after that solid doctrine which is based upon Sacred Scripture, handed down by their predecessors and commonly accepted by the Church and which is contained especially in the documents of the councils and of the Roman Pontiffs; they are to avoid profane novelties and pseudoscience. § 2. In accord with the prescriptions of
particular law, priests are to attend pastoral lectures which are to be held after priestly ordination; at times determined by the same particular law they are also to attend lectures and theological meetings or conferences which afford them opportunities to acquire a fuller knowledge of the sacred sciences and of pastoral methods. § 3. They are likewise to pursue a knowledge of other sciences, especially those which are connected with the sacred sciences, particularly insofar as such knowledge contributes to the exercise of the pastoral ministry.

Can. 280 Some community of life is highly recommended to clerics; wherever such a practice exists, it is to be preserved to the extent possible.

Can. 281 § 1. When clerics dedicate themselves to the ecclesiastical ministry they deserve a remuneration which is consistent with their condition in accord with the nature of their responsibilities and with the conditions of time and place; this remuneration should enable them to provide for the needs of their own life and for the equitable payment of those whose services they need. § 2. Provision is likewise to be made so that they possess that social assistance by which their needs are suitably provided for if they suffer from illness, incapacity or old age. § 3. Married deacons who dedicate themselves completely to the ecclesiastical ministry deserve a remuneration by which they can provide for their own support and that of their families; married deacons, however, who receive remuneration by reason of a civil profession which they exercise or have exercised are to take care of their own and their family's needs from the incomes derived from their profession.

Can. 282 § 1. Clerics are to cultivate a simple style of life and are to avoid whatever has a semblance of vanity. § 2. After they have provided for their own decent support and for the fulfillment of all the duties of their state of life from the goods which they receive on the occasion of exercising an ecclesiastical office, clerics should want to use any superfluous goods for the good of the Church and for works of charity.

Can. 283 § 1. Even if they do not have a residential office, clerics nevertheless are not to leave their diocese for a notable period of time, to be determined by particular law, without at least the presumed permission of their proper ordinary. § 2. Clerics are entitled to a due and sufficient period of vacation each year, to be determined by universal or particular law.
Can. 284 Clerics are to wear suitable ecclesiastical garb in accord with the norms issued by the conference of bishops and in accord with legitimate local custom.

Can. 285 § 1. In accord with the prescriptions of particular law, clerics are to refrain completely from all those things which are unbecoming to their state. § 2. Clerics are to avoid those things which, although not unbecoming, are nevertheless alien to the clerical state. § 3. Clerics are forbidden to assume public offices which entail a participation in the exercise of civil power. § 4. Without the permission of their ordinary clerics are neither to become agents for goods belonging to lay persons nor assume secular offices which entail an obligation to render accounts; they are forbidden to act as surety, even on behalf of their own goods, without consultation with their proper ordinary; they are likewise to refrain from signing promissory notes whereby they undertake the obligation to pay an amount of money without any determined reason.

Can. 286 Clerics are forbidden personally or through others to conduct business or trade either for their own benefit or that of others without (nisi) the permission of legitimate ecclesiastical authority.

Can. 287 § 1. Most especially, clerics are always to foster that peace and harmony based on justice which is to be observed among all persons. § 2. Clerics are not to have an active role in political parties and in the direction of labor unions unless (nisi) the need to protect the rights of the Church or to promote the common good requires it in the judgment of the competent ecclesiastical authority.

Can. 288 Permanent deacons are not bound by the prescriptions of cann. 284, 285, § § 3 and 4, 286, (and) 287, § 2, unless (nisi) particular law determines otherwise.

Can. 289 § 1. Since military service is hardly consistent with the clerical state, clerics and candidates for sacred orders are not to volunteer for military service without (nisi) the permission of their own ordinary. § 2. Clerics are to make use of those exemptions from exercising duties and public civil offices alien to the clerical state which laws, agreements, or customs grant in their favor, unless (nisi) in particular cases their own proper ordinary has decided otherwise.
Can. 290 After it has been validly received, sacred ordination never becomes invalid. A cleric, however, loses the clerical state: (1) by a judicial decision or administrative decree which declares the invalidity of sacred ordination; (2) by the legitimate infliction of the penalty of dismissal; (3) by a rescript of the Apostolic See which is granted by the Apostolic See to deacons only for serious reasons and to presbyters only for the most serious reasons.

Can. 291 Besides the case mentioned in can. 290, n. 1, loss of the clerical state does not entail a dispensation from the obligation of celibacy, which is granted by the Roman Pontiff alone.

Can. 292 A cleric who loses the clerical state in accord with the norm of law also loses with it the rights which pertain to the clerical state; nor is he bound by any of the obligations of the clerical state, with due regard for the prescription of can. 291; he is prohibited from exercising the power of orders with due regard for the prescription of can. 976; and by the very fact he is deprived of all offices, functions and any delegated power.

Can. 293 A cleric who has lost the clerical state cannot become a member of the clergy again without (nisi) a rescript of the Apostolic See.

Can. 294 Personal prelatures which consist of presbyters and deacons of the secular clergy can be erected by the Apostolic See, after consulting the conferences of bishops involved, in order to promote an appropriate distribution of presbyters or to perform particular pastoral or missionary works for various regions or different social groups.

Can. 295 § 1. A personal prelature is governed by the statutes established by the Apostolic See, and it is presided over by a prelate as its proper ordinary, who has the right to erect a national or international seminary, to incardinate the students, and to promote them to orders under the title of service to the prelature. § 2. The prelate must see to the spiritual formation and to the decent support of those whom he will promote by the abovementioned title.

Can. 296 Lay persons can dedicate themselves to the apostolic works of a personal prelature by agreements entered with the prelature; the mode of this organic cooperation and the principal duties and rights connected with it shall be appropriately determined in the statutes.
**Can.** 297 The statutes shall likewise define the relations of the personal prelature with the local ordinaries in whose particular churches the prelature itself exercises or desires to exercise its pastoral or missionary works, with the prior consent of the diocesan bishop.

**Can.** 298 § 1. In the Church there are associations distinct from institutes of consecrated life and societies of apostolic life, in which the Christian faithful, either clergy or laity, or clergy and laity together, strive by common effort to promote a more perfect life or to foster public worship or Christian doctrine or to exercise other apostolic works, namely to engage in efforts of evangelization, to exercise works of piety or charity and to animate the temporal order with the Christian spirit. § 2. The Christian faithful should enroll especially in associations which are erected or praised or recommended by competent ecclesiastical authority.

**Can.** 299 § 1. The Christian faithful are free, by means of a private agreement made among themselves, to establish associations to attain the aims mentioned in can. 298, § 1, with due regard for the prescriptions of can. 301, § 1. § 2. Such associations are called private associations even though they are praised or recommended by ecclesiastical authority. § 3. No private association of the Christian faithful is recognized unless ( nisi) its statutes are reviewed by competent authority.

**Can.** 300 No association shall assume the name "Catholic" without ( nisi) the consent of competent ecclesiastical authority, in accord with the norm of can. 312.

**Can.** 301 § 1. Competent ecclesiastical authority alone has the right to erect associations of the Christian faithful which set out to teach Christian doctrine in the name of the Church or to promote public worship or which aim at other ends whose pursuit by their nature is reserved to the same ecclesiastical authority. § 2. Competent ecclesiastical authority, if it judges it expedient, can also erect associations of the Christian faithful in order to attain directly or indirectly other spiritual ends whose accomplishment has not been sufficiently provided for by the efforts of private persons. § 3. Associations of the Christian faithful which are erected by competent ecclesiastical authority are called public associations.

**Can.** 302 Associations of the Christian faithful are called clerical associations when they are under the direction of the clergy, when they
presume the exercise of sacred orders, and when they are recognized as such by competent authority.

**Can.** 303 Associations whose members lead an apostolic life and strive for Christian perfection while living in the world and who share the spirit of some religious institute under the higher direction of that same institute are called third orders or some other appropriate name.

**Can.** 304 § 1. All associations of the Christian faithful, whether public or private, by whatever title or name they are called, are to have their own statutes which define the end of the association or its social objective, its headquarters, its government, the conditions of membership and by whom its policies are to be determined, according to the need or utility of time and place. § 2. They are to choose a title or name for themselves which is adapted to the usage of their time and place, selected especially in view of their intended purpose.

**Can.** 305 § 1. All associations of the Christian faithful are subject to the vigilance of competent ecclesiastical authority, whose duty it is to take care that integrity of faith and morals is preserved in them and to watch lest abuse creep into ecclesiastical discipline; therefore that authority has the right and duty to visit them in accord with the norm of law and the statutes; such associations are also subject to the governance of the same authority according to the prescriptions of the following canons. § 2. Associations of any kind whatever are subject to the vigilance of the Holy See; diocesan associations and also other associations to the extent that they work in the diocese are subject to the vigilance of the local ordinary.

**Can.** 306 In order for a person to enjoy the rights and privileges, indulgences and other spiritual favors granted to the association, it is necessary and suffices that the person has been validly received into it and not legitimately dismissed from it, in accord with the prescriptions of the law and the proper statutes of the association.

**Can.** 307 § 1. The reception of members is to be done in accord with the norm of law and the statutes of each association. § 2. The same person can be enrolled in several associations. § 3. Members of religious institutes can enroll in associations in accord with their own law with the consent of their superior.
Can. 308 No one who has been legitimately enrolled may be dismissed from an association except (nisi) for a just cause in accord with the norm of law and the statutes.

Can. 309 Legitimately constituted associations have the right, in accord with the law and the statutes, to issue particular norms respecting the association itself, to hold meetings, to designate moderators, officials, other officers and administrators of goods.

Can. 310 A private association which has not been constituted a juridic person cannot as such be a subject of obligations and rights; however, the Christian faithful associated together in it can jointly contract obligations and acquire rights and possess goods as co-owners and co-possessors; they can exercise their rights and obligations through an agent or proxy.

Can. 311 Members of institutes of consecrated life who preside over or assist associations in some way united to their institute are to see to it that these associations give assistance to the works of the apostolate in a diocese, especially cooperating, under the direction of the local ordinary, with associations which are ordered to the exercise of the apostolate in the diocese.

Can. 312 § 1. The authority competent to erect public associations is: (1) the Holy See for universal and international associations; (2) the conference of bishops in its own territory for national associations, that is, those which are directed by their founding purpose toward action in the whole nation; (3) the diocesan bishop in his own territory for diocesan associations, but not the diocesan administrator; however, those associations are excepted for whose erection the right has been reserved to others by apostolic privilege.

§ 2. The written consent of the diocesan bishop is required for the valid erection of an association or a branch of an association in a diocese, even if this is done in virtue of an apostolic privilege; however, the consent given by a diocesan bishop for the erection of a house of a religious institute also allows for the erection in the same house or church attached to it, of an association proper to the institute.

Can. 313 A public association as well as a confederation of public associations is constituted a juridic person by the decree by which it is erected by competent ecclesiastical authority in accord with the norm of can. 312; it also thereby receives a mission to pursue the ends which it proposes.
for itself in the name of the Church, to the extent that such a mission is required.

**Can. 314** The statutes of any public association as well as their revision or change require the approval of the ecclesiastical authority which is competent to erect the association in accord with the norm of can. 312, § 1. Can. 315 Public associations on their own initiative can begin undertakings in keeping with their character, and they can direct them in accord with their statutes, but under the further direction of the ecclesiastical authority mentioned in can. 312, § 1. Can. 316 § 1. One who has publicly rejected the Catholic faith or abandoned ecclesiastical communion or been punished with an imposed or declared excommunication cannot be validly received into public associations. § 2. Those legitimately enrolled who fall into the situations mentioned in § 1, are, after a warning, to be dismissed from the association, observing the association's statutes and reserving the right of recourse to the ecclesiastical authority mentioned in can. 312, § 1. Can. 317 § 1. Unless (nisi) otherwise provided in the statutes, the ecclesiastical authority mentioned in can. 312, § 1, has the right to confirm as moderator of a public association the person elected by the association or to install the one presented or to name the person by his own right; the same ecclesiastical authority also names the chaplain or ecclesiastical assistant, having hear the major officials of the association where this is expedient. § 2. The norms stated in § 1 is also valid for associations erected outside their own churches or houses by members of religious institutes in virtue of apostolic privilege; however, in associations erected by members of religious institutes in their own church or house, the nomination or confirmation of the moderator and chaplain belongs to the superior of the institute, in accord with the statutes. § 3. In associations which are not clerical, lay persons can exercise the office of moderator; the chaplain or ecclesiastical assistant shall not assume that role unless (nisi) the statutes provide otherwise. § 4. Those who exercise leadership in political parties are not to be moderators in public associations of the Christian faithful which are directly ordered to the exercise of the apostolate.

**Can. 318** § 1. In special circumstances where grave reasons require it the ecclesiastical authority mentioned in can. 312, § 1, can designate a trustee who is to direct the association temporarily in the name of the authority. § 2. The one who named or confirmed the moderator of a public association can remove the moderator for a just cause, having heard both the
moderator and the major officials of the association in accord with the norm of the statutes; however, the one who named the chaplain can remove him in accord with the norm of cann. 192-195.

**Can. 319 § 1.** Unless (nisi) other provision has been made, a legitimately erected public association administers the goods which it possesses in accord with the norm of its statutes under the higher direction of the ecclesiastical authority mentioned in can. 312, § 1, to whom the association must render an account of the administration each year. § 2. The association must also render to the same ecclesiastical authority a faithful account of the disposition of offerings and alms which it collects.

**Can. 320 § 1.** Associations erected by the Holy See can be suppressed only by the Holy See. § 2. Associations erected by a conference of bishops can be suppressed by the same conference for grave reasons; associations erected by a diocesan bishop can be suppressed by him, and also associations erected through an apostolic indult by members of religious institutes with the consent of the diocesan bishop. § 3. A public association is not to be suppressed by competent authority without (nisi) having heard its moderator and other major officials.

**Can. 321** The Christian faithful guide and direct private associations according to the prescripts of their statutes.

**Can. 322 § 1.** A private association of the Christian faithful can acquire juridic personality by means of a formal decree of the competent ecclesiastical authority mentioned in can. 312. § 2. No private association of the Christian faithful can acquire juridic personality unless (nisi) its statutes have been approved by the ecclesiastical authority mentioned in can. 312, § 1; however, the approval of the statutes does not change the private nature of the association.

**Can. 323 § 1.** Although private associations of the Christian faithful enjoy autonomy in accord with the norm of can. 321, they are subject to the vigilance of ecclesiastical authority in accord with the norm of can. 305, and are subject to the governance of the same authority. § 2. It is also the responsibility of ecclesiastical authority, while observing the autonomy proper to private associations, to be watchful and take care that their energies are not dissipated and that their exercise of their apostolate is ordered toward the common good.
Can. 324 § 1. A private association of the Christian faithful freely selects its own moderator and officials in accord with the norm of its statutes. § 2. A private association of the Christian faithful can freely choose a spiritual advisor, if it desires one, from among the priests legitimately exercising ministry in the diocese; however, he needs the confirmation of the local ordinary.

Can. 325 § 1. A private association of the Christian faithful freely administers the goods which it possesses according to the prescriptions of its statutes, with due regard for the right of competent ecclesiastical authority to be watchful that the goods are used for the purposes of the association. § 2. An association is subject to the authority of the local ordinary in accord with the norm of can. 1301 concerning administration and disposition of funds which have been donated to it or left to it for pious causes.

Can. 326 § 1. A private association of the Christian faithful ceases to exist in accord with the norm of its statutes; it can also be suppressed by competent authority if its activity causes serious harm to ecclesiastical doctrine or discipline or is a scandal to the faithful. § 2. The allocation of the goods of an extinct association is to be determined in accord with the norm of its statutes, with due regard for acquired rights and the will of the donors.

Can. 327 Lay members of the Christian faithful are to esteem greatly associations established for the spiritual purposes mentioned in can. 298, and especially those which propose to animate the temporal order with the Christian spirit and in this way greatly foster an intimate union between faith and life.

Can. 328 Those who preside over associations of the laity, even those associations erected in virtue of an apostolic privilege, are to see to it that they cooperate with other associations of the Christian faithful, where it is expedient, and willingly assist the various Christian works especially those in the same territory.

Can. 329 Moderators of associations of the laity are to see to it that the members of the association are duly formed for the exercise of the apostolate which is proper to the laity.
PART TWO THE HIERARCHICAL CONSTITUTION OF THE CHURCH

Sectio I. Caput I

Can. 330 Just as, by the Lord’s decision, Saint Peter and the other Apostles constitute one college, so in a similar way the Roman Pontiff, successor of Peter, and the bishops, successors of the Apostles, are joined together.

Can. 331 The bishop of the Church of Rome, in whom resides the office given in a special way by the Lord to Peter, first of the Apostles and to be transmitted to his successors, is head of the college of bishops, the Vicar of Christ and Pastor of the universal Church on earth; therefore, in virtue of his office he enjoys supreme, full, immediate and universal ordinary power in the Church, which he can always freely exercise.

Can. 332 § 1. The Roman Pontiff obtains full and supreme power in the Church by means of legitimate election accepted by him together with episcopal consecration; therefore, one who is already a bishop obtains this same power from the moment he accepts his election to the pontificate, but if the one elected lacks the episcopal character, he is to be ordained a bishop immediately. § 2. If it should happen that the Roman Pontiff resigns his office, it is required for validity that he makes the resignation freely and that it be duly manifested, but not that it be accepted by anyone.

Can. 333 § 1. The Roman Pontiff, by virtue of his office, not only has power in the universal Church but also possesses a primacy of ordinary power over all particular churches and groupings of churches by which the proper, ordinary and immediate power which bishops possess in the particular churches entrusted to their care is both strengthened and safeguarded. § 2. The Roman Pontiff, in fulfilling the office of the supreme pastor of the Church is always united in communion with the other bishops and with the universal Church; however, he has the right, according to the needs of the Church, to determine the manner, either personal or collegial, of exercising this function. § 3. There is neither appeal nor recourse against a decision or decree of the Roman Pontiff.

Can. 334 In exercising his office the Roman Pontiff is assisted by the bishops who aid him in various ways and among these is the synod of bishops; moreover the cardinals assist him as do other persons and other institutes according to the needs of the times; all these persons and
institutes, in his name and by his authority, carry out the task committed to them for the good of all the churches, according to the norms defined by law.

**Can.** 335 When the Roman See is vacant or entirely impeded nothing is to be innovated in the governance of the universal Church; however, special laws enacted for these circumstances are to be observed.

**Can.** 336 The college of bishops, whose head is the Supreme Pontiff and whose members are the bishops by virtue of sacramental consecration and hierarchical communion with the head and members of the college, and in which the apostolic body endures, together with its head, and never without its head, is also the subject of supreme and full power over the universal Church.

**Can.** 337 § 1. The college of bishops exercises power over the universal Church in a solemn manner in an ecumenical council. § 2. The college exercises the same power through the united action of the bishops dispersed in the world, which action as such has been inaugurated or has been freely accepted by the Roman Pontiff so that a truly collegial act results. § 3. It is for the Roman Pontiff, in keeping with the needs of the Church, to select and promote the ways by which the college of bishops is to exercise collegially its function regarding the universal Church.

**Can.** 338 § 1. It is for the Roman Pontiff alone to convoke an ecumenical council, to preside over it personally or through others, to transfer, suspend or dissolve it, and to approve its decrees. § 2. It is for the same Roman Pontiff to determine matters to be treated in a council and to establish the order to be followed in a council; to the questions proposed by the Roman Pontiff the fathers of a council can add other questions, to be approved by the same Roman Pontiff.

**Can.** 339 § 1. It is the right and duty of all and only the bishops who are members of the college of bishops to take part in an ecumenical council with a deliberative vote. § 2. The supreme authority of the Church can call others who are not bishops to an ecumenical council and determine the degree of their participation in it.

**Can.** 340 If the Apostolic See becomes vacant during the celebration of a council, it is interrupted by the law itself until a new Supreme Pontiff orders it to be continued or dissolves it.
Can. 341 § 1. Decrees of an ecumenical council do not have obligatory force unless (nisi) they are approved by the Roman Pontiff together with the fathers of the council and are confirmed by the Roman Pontiff and promulgated at his order. § 2. For decrees which the college of bishops issues to have obligatory force this same confirmation and promulgation is needed, when the college takes collegial action in another manner, initiated or freely accepted by the Roman Pontiff.

Can. 342 The synod of bishops is that group of bishops who have been chosen from different regions of the world and who meet at stated times to foster a closer unity between the Roman Pontiff and the bishops, to assist the Roman Pontiff with their counsel in safeguarding and increasing faith and morals and in preserving and strengthening ecclesiastical discipline, and to consider questions concerning the Church's activity in the world.

Can. 343 It is the role of the synod of bishops to discuss the questions on their agenda and to express their desires about them but not to resolve them or to issue decrees about them, unless (nisi) the Roman Pontiff in certain cases has endowed the synod with deliberative power, and, in this event, it is his role to ratify its decisions.

Can. 344 A synod of bishops is directly under the authority of the Roman Pontiff whose role it is to: (1) convoke a synod as often as he deems it opportune and to designate the place where its sessions are to be held; (2) ratify the election of those members who are to be elected in accord with the norm of special law and to designate and name its other members; (3) determine topics for discussion at a suitable time before the celebration of the synod in accord with the norm of special law; (4) determine the agenda; (5) preside over the synod in person or through others; (6) conclude, transfer, suspend and dissolve the synod.

Can. 345 A synod of bishops can meet in a general session, which deals with matters which directly concern the good of the entire Church; such a session is either ordinary or extraordinary; a synod of bishops can also meet in a special session, which deals with matters which directly concern a definite region or regions.

Can. 346 § 1. The membership of a synod of bishops gathered in ordinary general session consists of the following: for the most part, bishops elected to represent their individual groups by the conferences of bishops in accord
with the special law of the synod; other bishops designated in virtue of this law itself; other bishops directly named by the Roman Pontiff. To this membership are added some members of clerical religious institutes elected in accord with the norm of the same special law. § 2. A synod of bishops is gathered in extraordinary general session to deal with matters which require a speedy solution; its membership consists of the following: most of them are bishops designated by the special law of the synod in virtue of the office which they hold; others are bishops directly named by the Roman Pontiff. To this membership are added some members of clerical religious institutes elected in accord with the same law. § 3. The membership of a synod of bishops gathered in special session consists of those who have been especially selected from the regions for which the synod has been convoked, in accord with the norm of the special law which governs it.

**Can. 347** § 1. When a session of a synod of bishops is concluded by the Roman Pontiff, the responsibility entrusted to the bishops and other members in the synod ceases. § 2. If the Apostolic See becomes vacant after a synod has been called or during its celebration the meeting of the synod is suspended by the law itself as is the responsibility which had been entrusted to its members in connection with it; such a suspension continues until a new Pontiff decrees either that the session be dissolved or continued.

**Can. 348** § 1. The synod of bishops has a permanent general secretariat presided over by a general secretary who is appointed by the Roman Pontiff; he is assisted by the council of the secretariat; this council consists of bishops, some of whom are elected in accord with the norm of its special law by the synod of bishops itself while others are appointed by the Roman Pontiff; the responsibility of all these members ceases when a new general session begins. § 2. Furthermore one or several special secretaries are established who are named by the Roman Pontiff for each session of a synod of bishops, but they remain in the role entrusted to them only until the session of the synod has been completed.

**Can. 349** The cardinals of the Holy Roman Church constitute a special college whose responsibility is to provide for the election of the Roman Pontiff in accord with the norm of special law; the cardinals assist the Roman Pontiff collegially when they are called together to deal with questions of major importance; they do so individually when they assist the Roman Pontiff.
Pontiff especially in the daily care of the universal Church by means of the different offices which they perform.

**Can. 350 § 1.** The college of cardinals is divided into three ranks: the episcopal rank which consists of both the cardinals to whom the Roman Pontiff assigns the title of a suburbican church and the oriental patriarchs who have become members of the college of cardinals; the presbyteral rank; and the diaconal rank. **§ 2.** The Roman Pontiff assigns to each of the cardinals of presbyteral or diaconal rank his own title or diaconia in the city of Rome. **§ 3.** The oriental patriarchs who have become members of the college of cardinals have as their title their own patriarchal see. **§ 4.** The cardinal dean holds as his title the diocese of Ostia along with the other titular church which he already holds. **§ 5.** With due regard for the priority in rank and in promotion, through an option made during a consistory and approved by the Roman Pontiff, cardinals from the presbyteral rank can transfer to another title, and cardinals from the diaconal rank can transfer to another diaconia, and if they have remained in the diaconal rank for a period of ten full years they can transfer also to the presbyteral rank. **§ 6.** A cardinal from the diaconal rank who transfers through option to the presbyteral rank precedes all those cardinal presbyters who became cardinals after him.

**Can. 351 § 1.** Those promoted as cardinals are men freely selected by the Roman Pontiff, who are at least in the order of the presbyterate and are especially outstanding for their doctrine, morals, piety and prudence in action; those, however, who are not yet bishops must receive episcopal consecration. **§ 2.** Cardinals are created by a decree of the Roman Pontiff, which is published in the presence of the college of cardinals; from the time of this publication they are bound by the duties and possess the rights defined in law. **§ 3.** When a person has been promoted to the dignity of cardinal and his creation has been announced by the Roman Pontiff who, however, reserves the person's name "in pectore," he is not bound by any of the duties of cardinals nor does he possess any of their rights in the meantime; however, after his name has been made public by the Roman Pontiff he is bound by those duties and possesses those rights; but he enjoys his right of precedence from the day on which his name was reserved "in pectore."
Can. 352 § 1. The dean presides over the college of cardinals; if he is impeded from doing so, the assistant dean takes his place; the dean or assistant dean does not possess any power of governance over the other cardinals but is considered to be first among equals. § 2. When the office of dean becomes vacant, the cardinals who possess a title to a suburbicarian church and they alone elect someone from their own number to act as dean of the college; this election is to be presided over by the assistant dean if he is available or by the oldest elector; they are to take the name of the person elected to the Roman Pontiff who is competent to approve the one elected. § 3. The assistant dean is elected in the same manner described in § 2, with the dean himself presiding over the election; the Roman Pontiff is also competent to approve the election of the assistant dean. § 4. The dean and the assistant dean are to acquire a domicile in the city of Rome if they do not already have it there.

Can. 353 § 1. The cardinals are of special assistance to the Supreme Pastor of the Church through their collegial activity in consistories to which they are called by order of the Roman Pontiff who also presides over them; consistories are ordinary or extraordinary. § 2. All the cardinals, at least all those present in the city of Rome, are called together for an ordinary consistory to be consulted on certain serious matters which nevertheless occur rather frequently, or to carry out certain very solemn acts. § 3. All the cardinals are called together for an extraordinary consistory which is celebrated when the special needs of the Church or the conducting of more serious affairs suggests that it should be held. § 4. Only the ordinary consistory in which some solemnities are celebrated can be public, that is, a consistory to which, in addition to the cardinals, there are admitted prelates, legates of civil societies, or others who are invited to it.

Can. 354 Cardinals who preside over the dicasteries and other permanent institutions of the Roman Curia and Vatican City and who have completed their seventy-fifth year of age are requested to tender their resignation from office to the Roman Pontiff, who will decide on the matter after he has weighed all the circumstances.

Can. 355 § 1. The cardinal dean is competent to ordain to the episcopate the person elected to be Roman Pontiff if that person requires ordination; if the dean is hindered from doing so the assistant dean has the same right; if the assistant dean is likewise hindered from doing so then the oldest cardinal
from the episcopal rank has this right. § 2. The first cardinal deacon announces to the people the name of the newly elected Supreme Pontiff; he likewise invests metropolitans with the pallium or hands it over to their proxies in place of the Roman Pontiff.

Can. 356 Cardinals are obliged to cooperate assiduously with the Roman Pontiff; therefore cardinals who exercise any office in the Curia and who are not diocesan bishops are obliged to reside in Rome; the cardinals who care for a diocese as diocesan bishops are to come to Rome whenever they are called there by the Roman Pontiff.

Can. 357 § 1. The cardinals who have been assigned title to a suburbican church or to a church in Rome are to promote the good of these dioceses and churches by their counsel and patronage after they have taken possession of them; they do not, however, possess any power of governance over them; nor are they to intervene in any way in matters which concern the administration of their goods, their discipline or the service of the churches. § 2. The cardinals who are staying outside Rome and outside their own diocese are exempt from the power of governance of the bishop of the diocese in which they are staying in those matters which concern their own person.

Can. 358 At times the Roman Pontiff commissions a cardinal to represent him in some solemn celebration or in some group of persons as his "legatus a latere," that is, as his alter ego; likewise at times the Roman Pontiff commissions a cardinal to fulfill a certain pastoral duty as his special envoy (missus specialis); such cardinals possess competence only over those matters entrusted to them by the Roman Pontiff.

Can. 359 When the Apostolic See becomes vacant the college of cardinals possesses only that power in the Church which is given to it in special law.

Can. 360 The Supreme Pontiff usually conducts the business of the universal Church by means of the Roman Curia, which fulfills its duty in his name and by his authority for the good and the service of the churches; it consists of the Secretariat of State or the Papal Secretariat, the Council for the Public Affairs of the Church, congregations, tribunals and other institutions, whose structure and competency are defined in special law.

Can. 361 In this Code the term "Apostolic See" or "Holy See" applies not only to the Roman Pontiff but also to the Secretariat of State, the Council for
the Public Affairs of the Church and other institutions of the Roman Curia, unless ( nisi) the nature of the matter or the context of the words makes the contrary evident.

**Can. 362** The Roman Pontiff possesses the innate and independent right to nominate, send, transfer and recall his own legates to particular churches in various nations or regions, to states and to public authorities; the norms of international law are to be observed concerning the sending and the recalling of legates appointed to states.

**Can. 363** § 1. To legates of the Roman Pontiff is entrusted the responsibility of representing him in a stable manner to particular churches and also to states and public authorities to which they are sent. § 2. They also represent the Apostolic See who are appointed to a pontifical mission as delegates or observers at International Councils or at conferences and meetings.

**Can. 364** The principal duty of a pontifical legate is to work so that day by day the bonds of unity which exist between the Apostolic See and the particular churches become stronger and more efficacious. Therefore, it belongs to the pontifical legate for his area: (1) to send information to the Apostolic See on the conditions of the particular churches and all that touches the life of the Church and the good of souls; (2) to assist the bishops by action and counsel, while leaving intact the exercise of the bishops' legitimate power; (3) to foster close relations with the conference of bishops by offering it assistance in every way; (4) to transmit or propose the names of candidates to the Apostolic See in reference to the naming of bishops and to instruct the informative process concerning those to be promoted in accord with the norms given by the Apostolic See; (5) to strive for the promotion of matters which concern peace, progress and the cooperative efforts of peoples; (6) to cooperate with the bishops in fostering suitable relationships between the Catholic Church and other churches or ecclesial communities and non-Christian religions also; (7) in concerted action with the bishops to protect what pertains to the mission of the Church and the Apostolic See in relations with the leaders of the state; (8) to exercise the faculties and fulfill the other mandates committed to him by the Apostolic See.

**Can. 365** § 1. It is the special responsibility of a pontifical legate who also exercises a legation to states in accord with the norms of international law:
(1) to promote and foster relations between the Apostolic See and the authorities of the state; (2) to deal with questions concerning the relations between the Church and the state; and in a special manner to deal with the drafting and implementation of concordats and other agreements of this type. § 2. In conducting the negotiations mentioned in § 1, as circumstances suggest, the pontifical legate is to seek out the opinion and counsel of the bishops of the ecclesiastical jurisdiction and also inform them on the progress of these negotiations.

Can. 366 In view of the special character of a legate's role: (1) the headquarters of a pontifical legation is exempt from the power of governance of the local ordinary unless (nisi) it is a question of celebrating marriages; (2) after he has previously advised the local ordinaries insofar as this is possible, a pontifical legate is allowed to perform liturgical celebrations, even in pontificals, in all the churches within his legation.

Can. 367 The function of pontifical legate does not cease when the Apostolic See becomes vacant unless (nisi) the contrary is determined in the pontifical letters; it does cease, however, when his mandate has been fulfilled, when he has been informed of his recall, or when his resignation has been accepted by the Roman Pontiff.

Section II

Title I. Caput I

Can. 368 Particular churches in which and from which exists the one and unique Catholic Church are first of all dioceses; to which unless (nisi) otherwise evident are likened a territorial prelature, a territorial abbacy, an apostolic vicariate, an apostolic prefecture, and an apostolic administration which has been erected on a stable basis.

Can. 369 A diocese is a portion of the people of God which is entrusted for pastoral care to a bishop with the cooperation of the presbyterate so that, adhering to its pastor and gathered by him in the Holy Spirit through the gospel and the Eucharist, it constitutes a particular church in which the one, holy, catholic and apostolic Church of Christ is truly present and operative.

Can. 370 A territorial prelature or territorial abbacy is a certain portion of the people of God which is established within certain territorial boundaries
and whose care, due to special circumstances, is entrusted to some prelate or abbot who governs it as its proper pastor, like a diocesan bishop.

**Can. 371 § 1.** An apostolic vicariate or an apostolic prefecture is a certain portion of the people of God which is not yet erected into a diocese, due to particular circumstances, and whose pastoral care is entrusted to an apostolic vicar or to an apostolic prefect who governs it in the name of the Supreme Pontiff. § 2. An apostolic administration is a certain portion of the people of God which is not erected into a diocese by the Supreme Pontiff due to particular and very serious reasons and whose pastoral care is entrusted to an apostolic administrator who governs it in the name of the Supreme Pontiff.

**Can. 372 § 1.** As a rule that portion of the people of God which constitutes a diocese or some other particular church is limited to a definite territory so that it comprises all the faithful who inhabit that territory. § 2. Nevertheless, there can be erected within the same territory particular churches which are distinct by reason of the rite of the faithful or some similar reason when such is deemed advantageous in the judgment of the supreme authority of the Church after it has listened to the conferences of bishops concerned.

**Can. 373** It is within the sole competence of the supreme authority of the Church to erect particular churches; once they have been legitimately erected these churches enjoy juridic personality by reason of the law itself.

**Can. 374 § 1.** Each and every diocese or other particular church is to be divided into distinct parts or parishes. § 2. In order to foster pastoral care through common action several neighboring parishes can be joined together into special groups such as vicariates forane.

**Can. 375 § 1.** Through the Holy Spirit who has been given to them, bishops are the successors of the apostles by divine institution; they are constituted pastors within the Church so that they are teachers of doctrine, priests of sacred worship, and ministers of governance. § 2. By the fact of their episcopal consecration bishops receive along with the function of sanctifying also the functions of teaching and ruling, which by their very nature, however, can be exercised only when they are in hierarchical communion with the head of the college and its members.

**Can. 376** Bishops are called diocesan when the care of a diocese has been entrusted to them; all others are called titular.
**Can. 377 § 1.** The Supreme Pontiff freely appoints bishops or confirms those who have been legitimately elected. § 2. At least every three years the bishops of an ecclesiastical province or, if circumstances suggest this, the bishops of a conference of bishops are to compose in common counsel and in secret a list of presbyters, including members of institutes of consecrated life, who are suitable for the episcopacy and send it to the Apostolic See; each bishop retains the right to make known to the Apostolic See on his own the names of presbyters who he thinks worthy and suitable for the episcopal office. § 3. Unless (nisi) other provisions have legitimately been made, whenever a diocesan bishop or a coadjutor bishop is to be named, in regard to the ternus, as it is called, to be proposed to the Apostolic See it is the responsibility of the pontifical legate to seek out individually the suggestions of the metropolitan and the suffragans of the province to which the diocese to be provided for belongs or with which it is joined and of the president of the conference of bishops and to communicate them to the Apostolic See together with his own preference; moreover, the pontifical legate is to hear some members of the college of consultors and of the cathedral chapter, and if he judges it expedient, he shall also obtain, individually and in secret, the opinion of other members of the secular and religious clergy as well as of the laity who are outstanding for their wisdom. § 4. Unless (nisi) other provisions have been legitimately made, a diocesan bishop who judges that an auxiliary bishop ought to be given to his diocese is to propose to the Apostolic See a list of at least three priests who are quite suitable for this office. § 5. No rights and privileges of election, nomination, presentation, or designation of bishops are hereafter granted to civil authorities.

**Can. 378 § 1.** In order for a person to be a suitable candidate for the episcopacy it is required that he be: (1) outstanding for his solid faith, good morals, piety, zeal for souls, wisdom, prudence and human virtues and endowed with the other talents which make him fit to fulfill the office in question; (2) in possession of a good reputation; (3) at least thirty-five years of age; (4) ordained a priest for at least five years; (5) in possession of a doctorate or at least a licentiate in sacred scripture, theology, or canon law from an institute of higher studies approved by the Apostolic See or at least truly expert in these same disciplines. § 2. The definitive judgment concerning the suitability of the person to be promoted belongs to the Apostolic See.
Can. 379 Unless (nisi) he is held back by a legitimate impediment, whoever is promoted to the episcopacy must receive episcopal consecration within three months from the reception of the apostolic letter and before he takes possession of his office.

Can. 380 Before he takes canonical possession of his office, the person promoted is to make a profession of faith and take an oath of fidelity to the Apostolic See in accord with a formula approved by the same Apostolic See.

Can. 381 § 1. A diocesan bishop in the diocese committed to him possesses all the ordinary, proper and immediate power which is required for the exercise of his pastoral office except for those cases which the law or a decree of the Supreme Pontiff reserves to the supreme authority of the Church or to some other ecclesiastical authority. § 2. Unless (nisi) it appears otherwise from the nature of the matter or from a prescription of the law, persons who head the other communities of the faithful mentioned in can. 368 are equivalent in law to a diocesan bishop.

Can. 382 § 1. A bishop promoted to a diocese cannot exercise the office entrusted to him unless (nisi) he has first taken canonical possession of the diocese, but he can exercise the offices which he already had in the same diocese at the time of promotion, with due regard for the prescription of can. 409, § 2. § 2. Unless (nisi) he is held back by a legitimate impediment, a person promoted to the office of diocesan bishop must take canonical possession of his diocese within four months from the reception of the apostolic letter if he has not yet been consecrated a bishop or within two months if he has already been consecrated. § 3. A bishop takes canonical possession of a diocese as soon as he personally or through a proxy has presented within the diocese the apostolic letter to the college of consultors, in the presence of the chancellor of the curia who officially records the event; in newly erected dioceses, however, he takes canonical possession as soon as he has seen to the communication of the apostolic letter to the clergy and the people present in the cathedral church, with the senior presbyter among those present officially recording the event. § 4. It is strongly recommended that the act of taking canonical possession occur within a liturgical act in the cathedral church with the clergy and people assisting.

Can. 383 § 1. In the exercise of his pastoral office a diocesan bishop is to show that he is concerned with all the Christian faithful who are committed
to his care regardless of age, condition or nationality, both those who live within his territory and who are staying in it temporarily; he is to extend his apostolic spirit to those who cannot sufficiently make use of ordinary pastoral care due to their condition in life and to those who no longer practice their religion. § 2. If he has faithful of a different rite within his diocese, he is to provide for their spiritual needs either by means of priests or parishes of that rite or by means of an episcopal vicar. § 3. He is to act with kindness and charity toward those who are not in full communion with the Catholic Church, fostering ecumenism as it is understood by the Church. § 4. He is to consider nonbaptized as being committed to him in the Lord so that there may shine upon them the charity of Christ for whom the bishop must be a witness before all.

**Can. 384** The diocesan bishop is to attend to presbyters with special concern and listen to them as his assistants and advisers; he is to protect their rights and see to it that they correctly fulfill the obligations proper to their state and that means and institutions which they need are available to them to foster their spiritual and intellectual life; he is also to make provision for their decent support and social assistance, in accord with the norm of law.

**Can. 385** As much as is possible the diocesan bishop is to foster vocations to the different ministries and to the consecrated life, with special care shown for priestly and missionary vocations.

**Can. 386** § 1. The diocesan bishop is bound to present and explain to the faithful the truths of the faith which are to be believed and applied to moral issues, frequently preaching in person; he is also to see to the careful observance of the prescriptions of the canons concerning the ministry of the word, especially those concerning the homily and catechetical formation, so that the whole of Christian doctrine is imparted to all. § 2. Through suitable means he is strongly to safeguard the integrity and unity of the faith to be believed while nevertheless acknowledging a rightful freedom in the further investigation of its truths.

**Can. 387** Since the diocesan bishop is mindful that he is obliged to set a personal example of holiness, in charity, humility, and simplicity of life, he is to make every effort to promote the holiness of the Christian faithful according to each one's own vocation; since he is the foremost dispenser of the mysteries of God, he is constantly to endeavor to have the Christian
faithful entrusted to his care grow in grace through the celebration of the sacraments and both understand and live the paschal mystery.

**Can. 388 § 1.** After he has taken possession of his diocese the diocesan bishop must apply a Mass for the people committed to him on Sundays and the other holy days of obligation within his region. § 2. The bishop himself must personally celebrate and apply Mass for the people on the days mentioned in § 1; but if he is legitimately hindered from such celebration, he is to apply Mass on these days through another priest or personally do so on other days. § 3. A bishop satisfies this obligation by applying one Mass for all the people entrusted to him if, besides his own diocese, other dioceses are entrusted to him, even under the title of administration. § 4. A bishop who has not satisfied the obligation mentioned in §§ 1-3 is to apply as many Masses for the people as he has missed as soon as possible.

**Can. 389** He is to preside frequently over the celebration of the Eucharist in the cathedral church or in another church of his diocese, especially on holy days of obligation and other solemnities.

**Can. 390** A diocesan bishop can conduct pontifical functions throughout his entire diocese; he cannot do so, however, outside his own diocese without the express or at least reasonably presumed consent of the local ordinary.

**Can. 391 § 1.** The diocesan bishop is to rule the particular church committed to him with legislative, executive and judicial power in accord with the norm of law. § 2. The bishop personally exercises legislative power; he exercises executive power either personally or through vicars general or episcopal vicars in accord with the norm of law; he exercises judicial power either personally or through a judicial vicar and judges in accord with the norm of law.

**Can. 392 § 1.** Since he must protect the unity of the universal Church, the bishop is bound to promote the common discipline of the whole Church and therefore to urge the observance of all ecclesiastical laws. § 2. He is to be watchful lest abuses creep into ecclesiastical discipline, especially concerning the ministry of the word, the celebration of the sacraments and sacramentals, the worship of God and devotion to the saints, and also the administration of property.
Can. 393 The diocesan bishop represents his diocese in all its juridic affairs.

Can. 394 § 1. The bishop is to foster the various aspects of the apostolate within his diocese and see to it that within the entire diocese or within its individual districts all the works of the apostolate are coordinated under his direction, with due regard for their distinctive character. § 2. He is to urge the faithful to exercise the apostolate in proportion to each one's condition and ability, since it is a duty to which they are bound; he is also to recommend to them that they participate and assist in the various works of the apostolate in accord with the needs of time and place.

Can. 395 § 1. Even if he has a coadjutor or an auxiliary bishop, a diocesan bishop is bound by the law of personal residence within his diocese. § 2. Provided (dummodo) provision is made that the diocese not suffer any disadvantage through his absence from it, he can be absent from his diocese for a just cause but not for more than one month, whether continuous or interrupted; this period does not include the time spent on his ad limina visit, or at councils, at a synod of bishops or at a conference of bishops, whenever he must be present, or the time spend on another office which has been legitimately entrusted to him. § 3. Except (nisi) for a serious and urgent reason he is not be absent from his diocese on Christmas, during Holy Week, on Easter, Pentecost, or Corpus Christi. § 4. If the bishop has been absent illegally from his diocese beyond six months, the metropolitan is to inform the Apostolic See; the senior suffragan is to do so if the metropolitan is illegally absent.

Can. 396 § 1. The bishop is obliged to visit his diocese annually, either in its entirety or in part, in such a way that the entire diocese is visited at least every five years; he may make this visitation personally or if he is legitimately hindered from doing so personally, he may do so through the coadjutor or auxiliary bishop, through a vicar general or episcopal vicar, or through another presbyter. § 2. The bishop has the right to choose for himself those clerics he prefers to be his companions and assistants on the visitation; any other contrary privilege or custom whatsoever is reprobated.

Can. 397 § 1. Persons, Catholic institutions, and sacred things and places are subject to the ordinary episcopal visitation if they are located within the area of the diocese. § 2. The bishop can visit members of religious institutes
Code of Canon Law

of pontifical right and their houses only in those cases expressly mentioned in law.

**Can. 398** The bishop is to strive to complete his pastoral visitation with due diligence, and he is to take care lest anyone be imposed upon or burdened by unnecessary expenses.

**Can. 399 § 1.** The diocesan bishop is bound to present a report to the Supreme Pontiff every five years concerning the state of the diocese committed to him, according to a form and at a time determined by the Apostolic See. § 2. If the year set for the presentation of this report falls entirely or in part within the first twoyear period of his governance of the diocese, the bishop can omit the composition and presentation of the report on this one occasion.

**Can. 400 § 1.** During the year in which he is bound to present his report to the Supreme Pontiff and unless (nisi) other provisions have been made by the Apostolic See, the diocesan bishop is to come to Rome to venerate the tombs of the blessed apostles Peter and Paul and is to appear before the Roman Pontiff. § 2. Unless (nisi) he is legitimately hindered from doing so, the bishop is to satisfy this aforementioned obligation personally; if he is so hindered, he is to satisfy this obligation through his coadjutor, if he has one, through an auxiliary bishop, or through a suitable priest of his presbyterate who resides in his diocese. § 3. An apostolic vicar can satisfy this obligation through an agent, even through one living in Rome; an apostolic prefect is not bound by this obligation.

**Can. 401 § 1.** A diocesan bishop who has completed his seventy-fifth year of age is requested to present his resignation from office to the Supreme Pontiff who will make provisions after he has examined all the circumstances. § 2. A diocesan bishop is earnestly requested to present his resignation from office when he has become less able to fulfill his office due to ill health or another serious reason.

**Can. 402 § 1.** A bishop whose resignation from office has been accepted retains the title of bishop emeritus of his diocese and can retain a place of residence in his diocese if he so desires, unless (nisi) other provisions have been made by the Apostolic See in certain cases due to special circumstances. § 2. The conference of bishops must see to it that suitable
and decent support is provided for a resigned bishop, with due regard for the primary obligation which rests upon the diocese which he has served.

**Can. 403 § 1.** When the pastoral needs of the diocese warrant it one or several auxiliary bishops are to be appointed at the request of the diocesan bishop; an auxiliary bishop does not possess the right of succession. § 2. An auxiliary bishop equipped with special faculties can be given to a diocesan bishop in more serious circumstances even of a personal character. § 3. If it appears more opportune to the Holy See, it can ex officio appoint a coadjutor bishop who is also equipped with special faculties; a coadjutor bishop does possess the right of succession.

**Can. 404 § 1.** A coadjutor bishop takes possession of his office when he personally or through his proxy has presented the apostolic letter of appointment to the diocesan bishop and the college of consultors in the presence of the chancellor of the curia who officially records the event. § 2. An auxiliary bishop takes possession of his office when he has presented the apostolic letter of appointment to the diocesan bishop in the presence of the chancellor of the curia who officially records the event. § 3. If, however, the diocesan bishop is completely hindered, it is sufficient for both a coadjutor bishop and an auxiliary bishop to present the apostolic letter of appointment to the college of consultors in the presence of the chancellor of the curia.

**Can. 405 § 1.** A coadjutor bishop and an auxiliary bishop have the obligations and rights which are determined in the prescriptions of the following canons as well as those which are defined in the letter of their appointment. § 2. A coadjutor bishop and the auxiliary bishop mentioned in can. 403, § 2, aid the diocesan bishop in the entire governance of the diocese and take his place if he is absent or impeded.

**Can. 406 § 1.** A coadjutor bishop as well as the auxiliary bishop mentioned in can. 403, § 2, is to be appointed a vicar general by the diocesan bishop; moreover the diocesan bishop is to commit to such a bishop rather than to others those matters which by law require a special mandate. § 2. Unless ( nisi) another provision has been made in the apostolic letter and with due regard for the prescription of § 1, the diocesan bishop should appoint his auxiliary or auxiliaries as vicars general or at least episcopal vicars, dependent upon his authority alone, or that of a coadjutor bishop or the auxiliary bishop mentioned in can. 403, § 2. Can. 407 § 1. In order to foster the present and future good of the diocese as much as
possible, the diocesan bishop, the coadjutor and the auxiliary bishop mentioned in can. 403, § 2, are to consult with one another on matters of major importance. § 2. In considering matters of major importance, especially of a pastoral character, the diocesan bishop is to consult his auxiliary bishops before others. § 3. Because they have been called upon to share part of the concerns of the diocesan bishop, a coadjutor bishop and an auxiliary bishop are so to fulfill their duties that they proceed in harmony with him in their efforts and intentions.

Can. 408 § 1. Unless they are prevented from doing so by reason of a just impediment, a coadjutor bishop and an auxiliary bishop are obliged to perform the pontifical and other functions to which the diocesan bishop is bound whenever he requests them to. § 2. The diocesan bishop is not to entrust habitually to another those episcopal rights and functions which the coadjutor or auxiliary bishop can exercise.

Can. 409 § 1. Upon the vacancy of the episcopal see the coadjutor immediately becomes the bishop of the diocese for which he had been appointed provided (dummodo) he has legitimately taken possession of it. § 2. Unless (nisi) other provisions have been made by the competent authority, upon the vacancy of the episcopal see an auxiliary bishop retains all and only those powers and faculties which he possessed as vicar general or as episcopal vicar while the see was filled until an new bishop takes possession of the see; if, however, he has not been designated diocesan administrator, he may exercise this same power, conferred by law, under the authority of the diocesan administrator who presides over the governance of the diocese.

Can. 410 A coadjutor bishop and an auxiliary bishop are obliged to reside within the diocese like the diocesan bishop and they are not to leave the diocese except for a short time, unless they are fulfilling some other office outside the diocese or they are on vacation, which is not to exceed one month.

Can. 411 The prescriptions of can. 401 and 402, § 2, on resignation from office are applicable to a coadjutor and an auxiliary bishop.

Can. 412 An episcopal see is understood to be impeded if by reason of captivity, banishment, exile or incapacity, the diocesan bishop is wholly
prevented from fulfilling his pastoral function in the diocese, and cannot communicate with the people of his diocese even by letter.

**Can. 413 § 1.** When the see is impeded the governance of the diocese, unless (nisi) the Holy See provides otherwise, belongs to the coadjutor bishop if there is one; if there is none or if he is impeded, it belongs to an auxiliary bishop or the vicar general or the episcopal vicar or to another priest, following the order of persons determined in a list to be composed by the diocesan bishop immediately upon taking possession of the diocese, which list is to be communicated to the metropolitan and renewed at least every three years; it is to be preserved in secret by the chancellor. § 2. If there is no coadjutor bishop or he is impeded, and the list mentioned in § 1 is also lacking, the college of consultors is to select a priest who is to govern the diocese. § 3. Whoever assumes the governance of the diocese according to the norms of § 1 or § 2 shall immediately advise the Holy See of the see's being impeded and of his assuming the function.

**Can. 414** Whoever is called to exercise temporarily the pastoral care of a diocese according to the norm of can. 413 is bound by the obligations and enjoys the power which belong by law to a diocesan administrator only for the time during which the see is impeded.

**Can. 415** If the diocesan bishop is prohibited from exercising his function by an ecclesiastical penalty, the metropolitan is to make recourse immediately to the Holy See in order that it may provide; if there is no metropolitan or if he himself is the penalized bishop, the senior suffragan in terms of promotion is to make such recourse.

**Can. 416** An episcopal see is vacant upon the death of the diocesan bishop, upon his resignation accepted by the Roman Pontiff, and upon transferral or deprivation of office made known to the bishop.

**Can. 417** All those things done by the vicar general or episcopal vicar have full force until they have received certain notice of the death of the diocesan bishop; likewise, those things done by the diocesan bishop or the vicar general or episcopal vicar have full force until they have received certain notice of the abovementioned pontifical actions.

**Can. 418 § 1.** Upon certain notice of transferral the bishop must go to the new diocese within two months and take canonical possession of it; and from the day he takes possession of the new diocese his former diocese is
vacant. § 2. From the reception of certain notice of transferral until taking canonical possession of the new diocese, the transferred bishop in his former diocese: (1) obtains the power of a diocesan administrator and is bound by those obligations; all authority of the vicar general and episcopal vicars ceases, with due regard for can. 409, § 2; (2) continues to receive the entire salary proper to this office.

**Can.** 419 When the see is vacant, until the establishment of a diocesan administrator, the governance of the diocese devolves upon the auxiliary bishop or if there are several, upon the senior auxiliary bishop in terms of promotion, or if there is no auxiliary bishop upon the college of consultors, unless (nisi) the Holy See has provided otherwise; whoever assumes the governance of the diocese in this fashion is to convocate without delay the college which is competent to designate the diocesan administrator.

**Can.** 420 Unless (nisi) the Holy See has determined otherwise, when the see is vacant in an apostolic vicariate or prefecture, its governance is assumed by a pro-vicar or pro-prefect named for this purpose by the vicar or prefect immediately after taking possession.

**Can.** 421 § 1. Within eight days of receiving the notice of the vacancy of the episcopal see, the diocesan administrator, that is, he who governs the diocese in the interim, must be elected by the college of consultors, with due regard for the prescription of can. 502, § 3. § 2. If within the prescribed time the diocesan administrator for any reason at all has not been legitimately elected, the choosing of the same devolves upon the metropolitan, and if the vacant see is itself the metropolitan church or the metropolitan church is vacant as well as the suffragan, it devolves upon the senior suffragan bishop in terms of promotion.

**Can.** 422 The auxiliary bishop, or if there is none, the college of consultors, is to inform the Holy See immediately of the death of the bishop; the one elected diocesan administrator is to do the same concerning his own election.

**Can.** 423 § 1. One person is to be chosen diocesan administrator, and all contrary customs are revoked; otherwise the election is invalid. § 2. The diocesan administrator is not to be the finance officer at the same time; accordingly if the finance officer of the diocese has been elected
administrator another temporary finance officer is to be chosen by the finance council.

**Can. 424** The diocesan administrator is to be elected according to the norms of cann. 165-178.

**Can. 425 § 1.** To be validly chosen diocesan administrator one must be a priest of at least thirty-five years of age who has not been elected, nominated or presented for the same vacant see. § 2. A priest who is outstanding in doctrine and prudence is to be elected diocesan administrator. § 3. If the conditions previously mentioned in § 1 have been neglected, the metropolitan, or if the metropolitan church itself is vacant, the senior suffragan bishop in terms of promotion, having ascertained the truth of the matter, is to appoint an administrator in his stead; the acts of the one who was elected contrary to the prescriptions of § 1 are invalid by law.

**Can. 426** Whoever governs the diocese while the see is vacant and before an administrator is designated enjoys the power which the law grants to the vicar general.

**Can. 427 § 1.** The diocesan administrator is bound by the obligations and enjoys the power of the diocesan bishop, excluding those things which are excepted by their very nature or by the law itself. § 2. Once the diocesan administrator has accepted the election he obtains power; no further confirmation is required, but the obligation of can. 833, § 4, remains.

**Can. 428 § 1.** When the see is vacant there are to be no innovations. § 2. Those who temporarily govern the diocese are prohibited from doing anything which could in any way be prejudicial to the diocese or episcopal rights; they themselves and any other persons are specifically prohibited from removing, destroying or altering any documents of the diocesan curia, whether personally or through another.

**Can. 429** The diocesan administrator is obliged to reside in the diocese and to apply Mass for the people according to the norm of can. 388.

**Can. 430 § 1.** The responsibilities of the diocesan administrator cease with the taking possession of the diocese by the new bishop. § 2. The removal of the diocesan administrator is reserved to the Holy See; any resignation must be presented in authentic form to the college which is competent to elect but
it does not have to be accepted by this body; if the diocesan administrator has been removed or resigned or dies another administrator is to be elected according to the norm of can. 421.

**Can. 431 § 1.** Neighboring particular churches are to be brought together into ecclesiastical provinces limited to a certain territory in order that the common pastoral activity of the various neighboring dioceses may be promoted in accord with the circumstances of persons and places and in order that the relationships of the diocesan bishops among themselves may be more suitably fostered. § 2. As a rule exempt dioceses are no longer to exist; individual dioceses, therefore, and the other particular churches which exist within the territory of an ecclesiastical province must belong to this ecclesiastical province. § 3. The supreme authority of the Church alone is competent to establish, suppress, or change ecclesiastical provinces, after hearing the bishops involved.

**Can. 432 § 1.** In accord with the norm of law the provincial council and the metropolitan possess authority within the ecclesiastical province. § 2. An ecclesiastical province enjoys juridic personality by the law itself.

**Can. 433 § 1.** If it appears useful, especially in nations where particular churches are more numerous, neighboring ecclesiastical provinces can be united into ecclesiastical regions by the Holy See at the proposal of the conference of bishops. § 2. An ecclesiastical region can be erected into a juridic person.

**Can. 434** The gathering of the bishops of an ecclesiastical region is to foster cooperation and common pastoral action in the region; however, the powers which are given in the canons of this code to the conference of bishops do not belong to such a gathering, unless (nisi) some of them shall have been specially granted to it by the Holy See.

**Can. 435** The metropolitan, who is the archbishop of the diocese which he heads, presides over an ecclesiastical province; this office is connected with an episcopal see which has been determined or approved by the Roman Pontiff.

**Can. 436 § 1.** Within the suffragan dioceses the metropolitan is competent: (1) to be vigilant that the faith and ecclesiastical discipline are carefully preserved and to inform the Roman Pontiff of abuses if there are any; (2) to perform the canonical visitation if the suffragan bishop has
neglected it, after the reason for doing so has first been approved by the Apostolic See; (3) to appoint a diocesan administrator in accord with the norm of cann. 421, § 2 and 425, § 3. § 2. Where circumstances demand it a metropolitan can be invested by the Apostolic See with special duties and power to be determined in particular law. § 3. The metropolitan possesses no other power of governance within the suffragan dioceses; he can, however, perform sacred functions in all the churches as if he were a bishop in his own diocese, but he is to inform the diocesan bishop if it is the cathedral church.

Can. 437 § 1. Within three months from the reception of episcopal consecration or from the time of canonical provision if he has already been consecrated a bishop, a metropolitan is obliged personally or through his proxy to request the pallium of the Roman Pontiff; the pallium signifies the power with which the metropolitan is invested by law within his own province in communion with the Roman Church. § 2. In accord with the norm of liturgical laws a metropolitan can use the pallium in any church whatsoever within the ecclesiastical province over which he presides, but not outside it, even if the diocesan bishop gives his assent. § 3. A metropolitan requires a new pallium if he is transferred to another metropolitan see.

Can. 438 The title of patriarch or primate besides being a prerogative of honor, carries with it no power of governance in the Latin Church unless (nisi) the contrary is clear in some instances in virtue of apostolic privilege or approved custom.

Can. 439 § 1. A plenary council, that is, one which is held for all the particular churches belonging to the same conference of bishops, is to be celebrated as often as it seems necessary or advantageous to the conference of bishops, with the approval of the Apostolic See. § 2. The norm established in § 1 is also valid for the celebration of a provincial council in an ecclesiastical province whose boundaries coincide with the territory of a nation.

Can. 440 § 1. With due regard for can. 439, § 2, a provincial council for the various particular churches of the same ecclesiastical province is to be celebrated as often as it seems opportune in the judgment of the majority of the diocesan bishops of the province. § 2. When the metropolitan see is vacant a provincial council is not to be convoked.
Can. 441 It is the role of the conference of bishops: (1) to convoke a plenary council; (2) to select the place in which to celebrate a council within the territory of the conference of bishops; (3) to select the president of the plenary council from among the diocesan bishops, but he is to be approved by the Apostolic See; (4) to determine its agenda and the questions to be treated; to establish the date for the opening and closing of the plenary council; to transfer, prolong and dissolve it.

Can. 442 § 1. With the consent of the majority of the suffragan bishops, it is the role of the metropolitan: (1) to convoke a provincial council; (2) to select the place in which to celebrate a provincial council within the territory of the province; (3) to determine its agenda and the questions to be treated; to establish the date for the opening and closing of the provincial council; to transfer, prolong or dissolve it. § 2. It is the role of the metropolitan to preside over a provincial council; if he is legitimately hindered from doing so this role devolves upon the suffragan bishop elected by the other suffragans.

Can. 443 § 1. The following are to be called to particular councils and have the right of a deliberative vote in them: (1) diocesan bishops; (2) coadjutor and auxiliary bishops; (3) other titular bishops who fulfill within the territory a special function committed to them by the Apostolic See or by the conference of bishops. § 2. Other titular bishops who are living in the territory, even emeriti, can be called to particular councils and they have the right of a deliberative vote. § 3. The following are to be called to particular councils but they have only a consultative vote: (1) the vicars general and the episcopal vicars of all the particular churches in the territory; (2) the major superiors of religious institutes and societies of apostolic life; the number of men and women, however, is to be determined by the conference of bishops or by the bishops of the province; and the superiors are in turn to be elected by all the major superiors of the institutes and societies which have their headquarters within the territory; (4) some rectors of major seminaries; their number is to be determined in accord with n. 2 above; and they are elected by the rectors of the seminaries which are located within the territory. § 4. Presbyters and other members of the Christian faithful can also be called to particular councils with only a consultative vote; their number is not to exceed half of the number of those mentioned in §§ 1- 3. § 5. The cathedral chapters, the presbyteral council and the pastoral council of each of the particular churches are likewise to be invited to provincial councils in such a way that each sends two of its members as
representatives; these should be selected in a collegial manner by each of these bodies; they possess only a consultative vote. § 6. Others also can be invited to particular councils as guests if it seems advantageous in the judgment of the conference of bishops in regard to a plenary council or in the judgement of the metropolitan along with his suffragan bishops in regard to a provincial council.

**Can.** 444 § 1. All who are invited to attend particular councils must attend them unless (nisi) they are detained by a just impediment about which they are bound to inform the president of the council. § 2. Those who are invited to attend particular councils and who have a deliberative vote in them can send a proxy if they are detained by a just impediment; however, the proxy has only a consultative vote.

**Can.** 445 A particular council sees to it that provision is made for the pastoral needs of the people of God in its own territory, and it possesses the power of governance, especially legislative power, so that with due regard always for the universal law of the Church it can decree what seems appropriate for increasing faith, organizing common pastoral activity, directing morals and preserving, promoting or protecting common ecclesiastical discipline.

**Can.** 446 At the conclusion of a particular council the president is to see to it that all the acts of the council are sent to the Apostolic See; decrees issued by the council are not to be promulgated until (nisi) after they have been reviewed by the Apostolic See; it is the role of the council itself to define the manner of the promulgation of its decrees and the time at which the promulgated decrees begin to oblige.

**Can.** 447 The conference of bishops, a permanent institution, is a grouping of bishops of a given nation or territory whereby, according to the norm of law, they jointly exercise certain pastoral functions on behalf of the Christian faithful of their territory in view of promoting that greater good which the Church offers humankind, especially through forms and programs of the apostolate which are fittingly adapted to the circumstances of the time and place.

**Can.** 448 § 1. Generally the conference of bishops encompasses all who preside over particular churches of the same nation according to can. 450. § 2. If, however, in the judgment of the Apostolic See, having consulted the
diocesan bishops who are involved, circumstances of persons or things suggest it, a conference of bishops may be erected for a smaller or larger territory so that it takes in either the bishops of some particular churches constituted in a given territory or those presiding over particular churches in different nations; it is for the same Apostolic See to determine special norms for individual conferences.

**Can. 449 § 1.** After hearing the bishops involved, it pertains to the supreme church authority alone to erect, suppress or change the conferences of bishops. § 2. The conference of bishops once legitimately erected enjoys a juridic personality by the law itself.

**Can. 450 § 1.** The members of the conference of bishops are, by law, all diocesan bishops and those equivalent to them in law, also coadjutor bishops, auxiliary bishops and other titular bishops who fulfill within the same territory a particular function for which they are mandated by the Apostolic See or by the conference of bishops; ordinaries of another rite may also be invited, however in such manner that they enjoy only consultative vote, unless ( nisi) the statutes of the conference of bishops determine otherwise. § 2. The other titular bishops and the legates of the Roman Pontiff are not by law members of the conference of bishops.

**Can. 451** Each conference of bishops is to prepare its own statutes, which must be reviewed by the Holy See, and which among other things are to provide for the holding of plenary meetings of the conference as well as a permanent council of bishops, a general secretary of the conference, and other offices and commissions, which in the judgment of the conference will help it fulfill its purpose more effectively.

**Can. 452 § 1.** Each conference of bishops is to elect a president for itself; it is also to determine who is to serve in the role of propresident when the president is legitimately impeded; and it is also to appoint a general secretary of the conference, according to the norm of the statutes. § 2. The president of the conference, and the pro-president when the former is legitimately impeded, preside not only at the general meetings of the conference of bishops but also over its permanent council.

**Can. 453** The plenary sessions of the conference of bishops are to be held at least annually, and additionally as often as special circumstances require, according to the prescriptions of the statutes.
Can. 454 § 1. Diocesan bishops, those equivalent to them in law and also coadjutor bishops have a deliberative vote in plenary sessions of the conference of bishops by the law itself. § 2. Auxiliary bishops and other titular bishops who are members of the conference of bishops enjoy either a deliberative or consultative vote according to the prescriptions of the statutes of the conference; however, only those mentioned in § 1 enjoy a deliberative vote when it is a question of drawing up or modifying the statutes.

Can. 455 § 1. The conference of bishops can issue general decrees only in those cases in which the common law prescribes it, or a special mandate of the Apostolic See, given either motu proprio or at the request of the conference, determines it. § 2. The general decrees mentioned in § 1 can be validly passed in a plenary session only if two-thirds of the members of the conference having a deliberative vote approve them; such decrees do not have binding force, unless ( nisi) they have been legitimately promulgated, after having been reviewed by the Apostolic See. § 3. The manner of promulgation and the time from which the decrees take effect are to be determined by the conference of bishops itself. § 4. In the cases where neither the universal law nor a special mandate of the Apostolic See has granted the conference of bishops the power mentioned above in § 1, the competence of individual diocesan bishops remains intact; and neither the conference nor its president may act in the name of all the bishops unless ( nisi) each and every bishop has given his consent.

Can. 456 When the plenary session of the conference of bishops has been completed, a report of the acts of the conference and its decrees are to be sent to the Apostolic See by the president, so that these acts may be brought to its attention and it may review the decrees, if there by any.

Can. 457 The permanent council of bishops is to prepare the agenda for the plenary meeting of the conference of bishops and see to it that the decisions made during the plenary sessions are properly implemented; it is also to care for other matters which are entrusted to it according to the norm of the statutes.

Can. 458 It is the responsibility of the general secretary: (1) to prepare a report of the acts and decrees of the plenary meeting of the conference of bishops, and also the acts of the permanent council and to communicate the same to all the members of the conference; he is also to draw up the other
acts which are entrusted to him by the president of the conference or by the permanent council; (2) to communicate to neighboring conferences of bishops those acts and documents which the conference in plenary session or the permanent council of bishops decided to send to them.

Can. 459 § 1. Mutual relationships are to be fostered between the conferences of bishops of different regions, especially those who are neighbors, for the promotion and protection of the greater good. § 2. Whenever the actions or programs entered into by the conferences take on an international aspect it is necessary to consult the Apostolic See.

Can. 460 A diocesan synod is a group of selected priests and other Christian faithful of a particular church which offers assistance to the diocesan bishop for the good of the entire diocesan community according to the norm of the following canons.

Can. 461 § 1. A diocesan synod is to be celebrated in each of the particular churches when circumstances warrant it in the judgment of the diocesan bishop, after he has consulted the presbyteral council. § 2. If a bishop has the care of several dioceses or if he has the care of one as its proper bishop and of another as its administrator, he can convene one diocesan synod for all the dioceses entrusted to him.

Can. 462 § 1. Only the diocesan bishop convokes the diocesan synod, not however one who presides over a diocese ad interim. § 2. The diocesan bishop presides over the diocesan synod; he can, however, delegate the vicar general or an episcopal vicar to fulfill this office for individual sessions of the synod.

Can. 463 § 1. The following persons are to be called to the diocesan synod as its members and are obliged to participate in it: (1) the coadjutor bishop and the auxiliary bishops; (2) the vicars general, the episcopal vicars and the judicial vicar; (3) the canons of the cathedral church; (4) the members of the presbyteral council; (5) lay members of the Christian faithful and members of institutes of consecrated life, to be selected by the pastoral council in a manner and number to be determined by the diocesan bishop or, where such a council does not exist, in a manner determined by the diocesan bishop; (6) the rector of the diocesan major seminary; (7) the vicars forane; (8) at least one presbyter to be selected from each vicariate forane by all who have the care of souls there; also to be selected is another
presbyter who would take the place of the first one selected if he were impeded; (9) some superiors of the religious institutes and societies of apostolic life which have a house in the diocese, to be selected in a manner and number determined by the diocesan bishop. § 2. Others can be called as members to the diocesan synod by the diocesan bishop; these can be clerics, members of institutes of consecrated life, or lay members of the Christian faithful. § 3. If he should judge it opportune, the diocesan bishop can invite as observers to the diocesan synod some ministers or members of churches or ecclesial communities which are not in full communion with the Catholic Church.

Can. 464 A member of the synod who is hindered by a legitimate impediment cannot send a proxy to attend in his or her name; such a member is to inform the diocesan bishop of this impediment.

Can. 465 All the proposed questions are to be subject to the free discussion of the members during the sessions of the synod.

Can. 466 The diocesan bishop is the sole legislator at a diocesan synod while the remaining members of the synod possess only a consultative vote; he alone signs the synodal declarations and decrees which can be published only through his authority.

Can. 467 The diocesan bishop is to communicate the texts of the synodal declarations and decrees to the metropolitan and to the conference of bishops.

Can. 468 § 1. It is within the competence of the diocesan bishop to suspend or dissolve a diocesan synod in accord with his own prudent judgment. § 2. If the episcopal see should become vacant or impeded, a diocesan synod is interrupted by the law itself until the succeeding diocesan bishop has decreed that it is to continue or that it is terminated.

Can. 469 The diocesan curia consists of those institutions and persons which furnish assistance to the bishop in the governance of the entire diocese, especially in directing pastoral activity, in providing for the administration of the diocese, and in exercising judicial power.

Can. 470 The diocesan bishop appoints those who exercise offices within the diocesan curia.
Can. 471 All persons who are admitted to offices within the curia must: (1) promise to fulfill their function faithfully according to the manner determined by law or by the diocesan bishop; (2) observe secrecy within the limits and according to the manner determined by law or by the bishop.

Can. 472 The prescriptions of Book VII: "Processes" are to be observed concerning cases and persons which refer to the exercise of judicial power in the curia; the prescriptions of the following canons are to be observed concerning those matters which involve the administration of the diocese.

Can. 473 § 1. The diocesan bishop must see to it that all matters which concern the administration of the entire diocese are duly coordinated and arranged in such a manner that the good of the portion of God’s people entrusted to him is more suitably attained. § 2. It is the responsibility of the diocesan bishop himself to coordinate the pastoral activity of the vicars general or episcopal vicars; whenever it is expedient he can appoint a moderator of the curia, who ought to be a priest, and whose task it is, under the authority of the bishop, to coordinate the exercise of administrative responsibilities and to see to it that the other members of the curia duly fulfill the office entrusted to them. § 3. Unless (nisi) in the judgment of the bishop local circumstances warrant otherwise, the vicar general, or if there are several, one of the vicars general is to be appointed moderator of the curia. § 4. If he judges it expedient in fostering more suitable pastoral activity, the bishop can establish an episcopal council consisting of the vicars general and the episcopal vicars.

Can. 474 Those curial acts which are to have a juridic effect must, for their validity, be signed by the ordinary from whom they emanate; likewise they are to be signed by the chancellor or the notary of the curia; the chancellor is bound to inform the moderator of the curia concerning such acts.

Can. 475 § 1. A vicar general is to be appointed in each diocese by the diocesan bishop; he is to assist the diocesan bishop in the governance of the entire diocese and is endowed with ordinary power according to the following canons. § 2. As a general rule only one vicar general is to be appointed unless (nisi) the size of the diocese, the number of its inhabitants or other pastoral reasons warrant otherwise.
Can. 476 As often as the correct governance of the diocese requires it the diocesan bishop can also appoint one or several episcopal vicars, who possess the same ordinary power which the universal law gives to the vicar general according to the following canons either in a determined section of the diocese or in a certain type of business or over the faithful of a determined rite or over certain groups of persons.

Can. 477 § 1. With due regard for the prescription of can. 406, the diocesan bishop freely appoints and freely removes a vicar general and an episcopal vicar; an episcopal vicar who is not an auxiliary bishop is to be appointed only for a time to be determined in the act of appointment. § 2. When a vicar general is absent or legitimately impeded the diocesan bishop can appoint another to take his place; the same norm applies to an episcopal vicar.

Can. 478 § 1. A vicar general and an episcopal vicar are to be priests, not less than thirty years of age, holding a doctorate or licentiate in canon law or in theology or at least being truly expert in these disciplines, as well as being recommended by reason of their sound doctrine, integrity, prudence, and experience in handling matters. § 2. The role of vicar general and episcopal vicar cannot be assumed by the same person who functions as canon penitentiary; nor is this office to be entrusted to persons who are related by blood to the diocesan bishop up to the fourth degree.

Can. 479 § 1. In virtue of his office the vicar general possesses that executive power in the entire diocese which belongs to the diocesan bishop in law, that is, he possesses the power to place all administrative acts with the exception of those which the bishop has reserved to himself or which in law require the special mandate of the bishop. § 2. The episcopal vicar possesses by the law itself the same power mentioned in § 1 but only over that determined section of territory, that type of business, or those faithful of a determined rite or group for which he was appointed, with the exception of those cases which the bishop has reserved to himself or to the vicar general or which in law require the special mandate of the bishop. § 3. Within the limits of their competency the vicar general and episcopal vicar also possess the habitual faculties granted to the bishop by the Apostolic See as well as the power to execute rescripts, unless (nisi) other provisions have been expressly made or unless the diocesan bishop has been chosen to act because of some personal qualification.
Can. 480 The vicar general and the episcopal vicar must report to the diocesan bishop on the principal matters which are to be treated and which have been treated, and they are never to act contrary to his will and mind.

Can. 481 § 1. The power of a vicar general or of an episcopal vicar ceases when the time of their mandate has expired, when they resign and with due regard for cann. 406 and 409, when they are informed of their removal by the diocesan bishop and when the episcopal see is vacant. § 2. Unless ( nisi) they possess the episcopal dignity the power of the vicar general and of the episcopal vicar is suspended with the suspension from office of the diocesan bishop.

Can. 482 § 1. In every curia a chancellor is to be appointed whose principal task is, unless ( nisi) particular law determines otherwise, to see to it that the acts of the curia are gathered, arranged and safeguarded in the archive of the curia. § 2. If it seems necessary the chancellor can be given an assistant, whose title is vice-chancellor. § 3. The chancellor and vice-chancellor are automatically notaries and secretaries of the curia.

Can. 483 § 1. Besides the chancellor other notaries can be appointed, whose writing or signature establishes the authenticity of any acts whatsoever, of judicial acts only or of the acts of a certain case or transaction only. § 2. The chancellor and the notaries must be of good character and above reproach; a priest must be the notary in cases in which the reputation of a priest can be called into question.

Can. 484 The duties of notaries are: (1) to write the acts and instruments relating to decrees, dispositions, obligations and other tasks required of them; (2) to record faithfully in writing what has taken place and sign the record with a notation of the place, day, month and year; (3) with due consideration of all requirements, to furnish acts or instruments to one legitimately requesting them from the files and to declare copies of them to be in conformity with the original.

Can. 485 Chancellors and notaries can be freely removed from office by the diocesan bishop, but not by the diocesan administrator except ( nisi) with the consent of the college of consultors.

Can. 486 § 1. All diocesan and parochial documents must be protected with the greatest care. § 2. In every curia, there is to be established in a safe place a diocesan archive or storeroom in which the instruments and
writings which refer to both the spiritual and temporal affairs of the diocese, properly arranged and diligently secured, are to be safeguarded. § 3. There is to be an inventory or catalog of the documents contained in the archive, with a brief synopsis of the contents of each one.

**Can. 487** § 1. It is necessary that the archive be locked and that only the bishop and the chancellor have a key to it; no one may licitly enter it without the permission either of the bishop or of both the moderator of the curia and the chancellor. § 2. It is a right of interested parties to obtain personally or through their proxy an authentic written copy or a photocopy of documents which are public by their nature and which pertain to the status of such persons.

**Can. 488** It is not permitted to remove documents from the archives, except ( nisi) for a brief time only and with the consent either of the bishop or of both the moderator of the curia and the chancellor.

**Can. 489** § 1. There is also to be a secret archive in the diocesan curia or at least a safe or file in the ordinary archive, completely closed and locked which cannot be removed from the place, and in which documents to be kept secret are to be protected most securely. § 2. Every year documents of criminal cases are to be destroyed in matters of morals in which the criminal has died or in which ten years have passed since the condemnatory sentence; but a brief summary of the case with the text of the definitive sentence is to be retained.

**Can. 490** § 1. Only the bishop may have the key to the secret archive. § 2. When the see is vacant the secret archive or safe is not to be opened, except ( nisi) in a case of true necessity by the diocesan administrator himself. § 3. Documents are not to be removed from the secret archive or safe.

**Can. 491** § 1. The diocesan bishop is to see to it that the acts and documents of the archives of cathedral, collegiate, parochial and other churches in his territory also are diligently preserved; also, inventories or catalogs are to be made in duplicate, one of which is to be kept in the church’s own archive and the other in the diocesan archive. § 2. The diocesan bishop is also to see to it that there is an historical archive in the diocese in which documents having an historical value are diligently preserved and systematically arranged. § 3. In order to inspect or remove
the acts and documents spoken of in §§ 1 and 2 above, the norms established by the diocesan bishop are to be observed.

**Can. 492 § 1.** In each diocese a finance council is to be established by the bishop, over which he himself or his delegate presides, and which is to be composed of at least three members of the Christian faithful truly skilled in financial affairs as well as in civil law, of outstanding integrity and appointed by the bishop. § 2. Members of the finance council are to be named for a five year term; but having completed this term they may be named to other five year terms. § 3. Those persons are excluded from the finance council who are related to the bishop up to the fourth degree of consanguinity or affinity.

**Can. 493** In addition to the duties committed to it in Book V: "The Temporal Goods of the Church," the finance council is to prepare each year according to the directions of the diocesan bishop a budget of the income and expenditures foreseen for the governance of the entire diocese in the coming year; moreover at the close of the year it is to examine a report of receipts and expenditures.

**Can. 494 § 1.** In each diocese, after listening to the college of consultors and also the finance council, the bishop is to name a finance officer who is to be truly skilled in financial affairs and absolutely distinguished for honesty. § 2. The finance officer is to be appointed for a five year term but, having completed this term, may be reappointed for other five year terms; during the term of office the finance officer may not be removed except (nisi) for a grave cause, to be assessed by the bishop after listening to the college of consultors and the finance council. § 3. It is the role of the finance officer to administer the goods of the diocese under the authority of the bishop in accordance with the budget determined by the finance council; from the income of the diocese the finance officer is to meet the expenditures which the bishop or others deputized by him have legitimately authorized. § 4. At the end of the year the finance officer must give to the finance council a report of receipts and expenditures.

**Can. 495 § 1.** A presbyteral council is to be established in each diocese, that is, a body of priests who are to be like a senate of the bishop, representing the presbyterate; this council is to aid the bishop in the governance of the diocese according to the norm of law, in order that the pastoral welfare of the portion of the people of God entrusted to him may be
promoted as effectively as possible. § 2. In apostolic vicariates and prefectures the vicar or the prefect is to establish a council of at least three missionary presbyters whose opinion is to be heard in more serious matters, even by letter.

**Can.** 496 The presbyteral council is to have its own statutes approved by the diocesan bishop, in light of the norms issued by the conference of bishops.

**Can.** 497 With regard to the designation of the members of the presbyteral council: (1) about half the members are to be freely elected by the priests themselves according to the norm of the following canons as well as the council's statutes; (2) some priests, according to the council's statutes, ought to be ex officio members, that is, members of the council in virtue of their office; (3) the diocesan bishop is free to name some others.

**Can.** 498 § 1. The following have the right to both active and passive vote in constituting the presbyteral council: (1) all secular priests incardinated in the diocese; (2) secular priests not incardinated in the diocese, and priests who are members of an institute of consecrated life or a society of apostolic life, who live in the diocese and exercise some office for the good of the diocese. § 2. To the extent the statutes provide for it, the same right of election can be extended to other priests who have a domicile or quasi-domicile in the diocese.

**Can.** 499 The manner of electing members of the presbyteral council is to be determined in the statutes in such a way that, insofar as it is possible, the priests of the presbyterate are represented, taking into account especially the diversity of ministries and various regions of the diocese.

**Can.** 500 § 1. It pertains to the diocesan bishop to convoke the presbyteral council, to preside over it, and to determine the questions to be treated by it or to receive proposals from its members. § 2. The presbyteral council enjoys only a consultative vote; the bishop is to listen to it in matters of greater moment, but he needs its consent only cases expressly defined by law. § 3. The presbyteral council is never able to act without the diocesan bishop who alone can divulge what was determined in keeping with § 2. **Can.** 501 § 1. Members of the presbyteral council are to be designated for a term determined in the statutes in such a way that the full council or some part of it is renewed within a five year period. § 2. When the see is vacant
the presbyteral council ceases and its functions are fulfilled by the college of consultors; within a year of taking possession of the diocese the bishop must establish the presbyteral council anew. § 3. If the presbyteral council is no longer fulfilling the function committed to it for the good of the diocese or is gravely abusing it, the diocesan bishop can dissolve it after consulting with the metropolitan or, if it is a question of the metropolitan see itself, with the suffragan senior by promotion, but the bishop must establish it anew within a year.

**Can. 502** § 1. Some priests are to be freely selected by the diocesan bishop from among the members of the presbyteral council to constitute a college of consultors; their number is to be not less than six nor more than twelve; the college is established for a five year term, and is responsible for the functions determined in the law; when the five year term is over, the college continues to exercise its proper functions until a new college is established. § 2. The diocesan bishop presides over the college of consultors; if the see is impeded or vacant, the one who takes the place of the bishop in the interim presides, or, if such a person has not yet been established, the priest who is oldest in ordination in the college of consultors. § 3. The conference of bishops can determine that the functions of the college of consultors be committed to the cathedral chapter. § 4. In apostolic vicariates and prefectures the functions of the college of consultors belong to the mission council mentioned in can. 495, § 2, unless (nisi) the law determines otherwise.

**Can. 503** The chapter of canons, whether cathedral or collegial, is a college of priests whose responsibility it is to perform the more solemn liturgical functions in the cathedral or collegial church; moreover, the cathedral chapter is to fulfill the duties which have been committed to it by the law itself or by the diocesan bishop.

**Can. 504** The erection, change or suppression of a cathedral chapter is reserved to the Apostolic See.

**Can. 505** Each and every chapter, whether cathedral or collegial, is to have its own statutes, drawn up by a legitimate capitular act and approved by the diocesan bishop; these statutes are not to be changed or abrogated without the approval of the same diocesan bishop.
Can. 506 § 1. With due regard always for the laws of its foundation, the statutes of the chapter are to determine the constitution of the chapter and the number of canons, define which things must be done by the chapter and which by the individual canons in the performance of divine worship and the ministry, schedule the meetings in which the business of the chapter is taken care of, and, with due regard for the prescriptions of universal law, determine the conditions required for valid and legitimate transactions. § 2. The statutes are also to define, having observed the norms laid down by the Holy See, the proper insignia of the canons and their financial compensation, whether stable or to be given on the occasion of the performance of duty.

Can. 507 § 1. One of the canons is to preside over the chapter, and other offices are also to be established according to the norm of the statutes, taking cognizance as well of the usages prevailing in the region. § 2. Other offices which may aid the canons can be entrusted to clerics who do not belong to the chapter, according to the norms of the statutes.

Can. 508 § 1. The canon penitentiary, both of a cathedral church and of a collegial church, in virtue of his office has the ordinary faculty, which nevertheless he cannot delegate to another, of absolving in the sacramental forum from undeclared latae sententiae censures not reserved to the Apostolic See, even outsiders within the diocese and members of the diocese outside it. § 2. Where there is no chapter the diocesan bishop is to appoint a priest to fulfill this same function.

Can. 509 § 1. It is for the diocesan bishop, having listened to the chapter, but not for the diocesan administrator, to confer each and every individual canonry whether in the cathedral church or in the collegial church, every contrary privilege being revoked; it is for the same bishop to confirm the election by the chapter of the one who shall preside over it. § 2. The diocesan bishop is to confer the canonry only upon priests outstanding in doctrine and integrity of life who have exercised the ministry in a praiseworthy manner.

Can. 510 § 1. Parishes are no longer to be joined to a chapter of canons; those which are united to some chapter are to be separated from the chapter by the diocesan bishop. § 2. In a church which is at the same time parochial and capitular, a pastor (parochus) is to be designated, whether chosen from among the members of the chapter or not; this pastor (parochus) is bound by all the duties and enjoys all the rights and faculties
which are proper to a pastor (parochus) according to the norm of law. § 3. It is for the diocesan bishop to establish definite norms by which the pastoral duties of the pastor (parochus) and the responsibilities proper to the chapter are to be fittingly integrated; these norms are to preclude the pastor's impeding capitular functions or the chapter's impeding parochial functions; the diocesan bishop is to resolve conflicts, should any arise; his first concern will be seeing to it that the pastoral necessities of the faithful are fittingly provided for. § 4. Any alms which are given to a church which is at the same time parochial and capitular are presumed to be given to the parish unless ( nisi) otherwise evident.

**Can. 511** In each diocese, to the extent that pastoral circumstances recommend it, a pastoral council is to be established whose responsibility it is to investigate under the authority of the diocesan bishop all those things which pertain to pastoral works, to ponder them and to propose practical conclusions about them.

**Can. 512** § 1. The pastoral council consists of Christian faithful who are in full communion with the Catholic Church, clerics, members of institutes of consecrated life and especially lay persons, who are designated in a manner determined by the diocesan bishop. § 2. The Christian faithful who are appointed to the pastoral council are to be so selected that the entire portion of the people of God which constitutes the diocese is truly reflected, with due regard for the diverse regions, social conditions and professions of the diocese as well as the role which they have in the apostolate, either as individuals or in conjunction with others. § 3. No one except ( nisi) Christians of proven faith, good morals and outstanding prudence are to be appointed to the pastoral council.

**Can. 513** § 1. The pastoral council is to be established for a period of time according to the prescriptions of the statutes which are issued by the bishop. § 2. When the see is vacant the pastoral council ceases to exist.

**Can. 514** § 1. It pertains exclusively to the diocesan bishop to convoke the pastoral council according to the necessities of the apostolate and to preside over it; the pastoral council enjoys only a consultative vote; it is for the bishop alone to make public what has been done in the council. § 2. The pastoral council is to be convoked at least once a year.
Can. 515 § 1. A parish is a definite community of the Christian faithful established on a stable basis within a particular church; the pastoral care of the parish is entrusted to a pastor (parochus) as its own shepherd under the authority of the diocesan bishop. § 2. The diocesan bishop alone is competent to erect, suppress or alter parishes, he is not to erect, suppress or notably alter them without hearing the presbyteral council. § 3. A legitimately erected parish has juridic personality by the law itself.

Can. 516 § 1. Unless ( nisi) the law provides otherwise, a quasi-parish is equivalent to a parish; a quasi-parish is a definite community of the Christian faithful within a particular church which has been entrusted to a priest as its proper pastor (parochus) but due to particular circumstances has not yet been erected as a parish. § 2. When certain communities cannot be erected as a parish or quasi-parish, the diocesan bishop is to provide for their pastoral care in another manner.

Can. 517 § 1. When circumstances require it, the pastoral care of a parish or of several parishes together can be entrusted to a team of several priests in solidum with the requirement, however, that one of them should be the moderator in exercising pastoral care, that is, he should direct their combined activity and answer for it to the bishop. § 2. If the diocesan bishop should decide that due to a dearth of priests a participation in the exercise of the pastoral care of a parish is to be entrusted to a deacon or to some other person who is not a priest or to a community of persons, he is to appoint some priest endowed with the powers and faculties of a pastor (parochus) to supervise the pastoral care.

Can. 518 As a general rule a parish is to be territorial, that is it embraces all the Christian faithful within a certain territory; whenever it is judged useful, however, personal parishes are to be established based upon rite, language, the nationality of the Christian faithful within some territory or even upon some other determining factor.

Can. 519 The pastor (parochus) is the proper shepherd of the parish entrusted to him, exercising pastoral care in the community entrusted to him under the authority of the diocesan bishop in whose ministry of Christ he has been called to share; in accord with the norm of law he carries out for his community the duties of teaching, sanctifying and governing, with the cooperation of other presbyters or deacons and the assistance of lay members of the Christian faithful.
**Can. 520 § 1.** A juridic person is not to be a pastor (parochus); however, the diocesan bishop, but not the diocesan administrator, with the consent of the competent superior can entrust a parish to a clerical religious institute or to a clerical society of apostolic life, even erecting the parish in a church of the institute or society, with the requirement, however, that one presbyter should be the pastor (parochus) of the parish or one presbyter should act as the moderator mentioned in can. 517, § 1, if its pastoral care is entrusted to a team. § 2. The assignment of the parish mentioned in § 1 can be permanent or for a definite predetermined period of time; in either case the assignment should be made by means of a written agreement between the diocesan bishop and the competent superior of the institute or society; 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.

**Can. 521 § 1.** To assume the office of pastor (parochus) validly one must be in the sacred order of the presbyterate. § 2. He should also be distinguished for his sound doctrine and integrity of morals and endowed with a zeal for souls and other virtues; he should also possess those qualities which are required by universal and particular law to care for the parish in question. § 3. For the office of pastor (parochus) to be conferred on someone, it is necessary that his suitability be clearly evident by means of some method determined by the diocesan bishop, even by means of an examination.

**Can. 522** The pastor (parochus) ought to possess stability in office and therefore he is to be named for an indefinite period of time; the diocesan bishop can name him for a certain period of time only if a decree of the conference of bishops has permitted this.

**Can. 523** With due regard for the prescription of can. 682, § 1, the diocesan bishop is the person competent to provide for the office of pastor (parochus) by means of free conferral unless (nisi) someone possesses the right of presentation or of election.

**Can. 524** After he has weighed all the circumstances, the diocesan bishop is to confer a vacant parish on the person whom he judges suited to fulfill its parochial care without any partiality; in order to make a judgment concerning a person's suitability he is to listen to the vicar forane, conduct
appropriate investigations and, if it is warranted, listen to certain presbyters and lay members of the Christian faithful.

**Can. 525** When a see is vacant or impeded the diocesan administrator or another person who is ruling the diocese in the meantime is competent: (1) to install or confirm presbyters who have been legitimately presented or elected for a parish; (2) to appoint pastors (parochus) if the see has been vacant or impeded for a year.

**Can. 526 § 1.** A pastor (parochus) is to have the parochial care of only one parish; however the care of several neighboring parishes can be entrusted to the same pastor (parochus) due to a dearth of priests or in other circumstances. § 2. In the same parish there is to be only one pastor (parochus) or one moderator in accord with can. 517, § 1; any custom contrary to this is repudiated and any privilege contrary to this is revoked.

**Can. 527 § 1.** The person who has been promoted to carry out the pastoral care of a parish acquires that care and is bound to exercise it from the moment he takes possession of the parish. § 2. While observing the method accepted by particular law or legitimate custom, the local ordinary or a priest delegated by him places the pastor (parochus) in possession of the parish; for a just cause, however, the same ordinary can dispense from such a method of installation; in such a situation the notification of the dispensation communicated to the parish replaces the formal taking of possession. § 3. The local ordinary is to define a period of time within which the parish is to be taken possession of; if the time lapses needlessly and there be no legitimate impediment, he can declare the parish vacant.

**Can. 528 § 1.** The pastor (parochus) is obliged to see to it that the word of God in its entirety is announced to those living in the parish; for this reason he is to see to it that the lay Christian faithful are instructed in the truths of the faith, especially through the homily which is to be given on Sundays and holy days of obligation and through the catechetical formation which he is to give; he is to foster works by which the spirit of the gospel, including issues involving social justice, is promoted; he is to take special care for the Catholic education of children and of young adults; he is to make every effort with the aid of the Christian faithful to bring the gospel message also to those who have ceased practicing their religion or who do not profess the true faith. § 2. The pastor (parochus) is to see to it that the Most Holy Eucharist is the center of the parish assembly of the faithful; he is
to work to see to it that the Christian faithful are nourished through a devout celebration of the sacraments and especially that they frequently approach the sacrament of the Most Holy Eucharist and the sacrament of penance; he is likewise to endeavor that they are brought to the practice of family prayer as well as to a knowing and active participation in the sacred liturgy, which the pastor (parochus) must supervise in his parish under the authority of the diocesan bishop, being vigilant lest any abuses creep in.

**Can. 529 § 1.** In order to fulfill his office in earnest the pastor (parochus) should strive to come to know the faithful who have been entrusted to his care; therefore he is to visit families, sharing the cares, worries, and especially the griefs of the faithful, strengthening them in the Lord, and correcting them prudently if they are wanting in certain areas; with a generous love he is to help the sick, particularly those close to death, refreshing them solicitously with the sacraments and commending their souls to God; he is to make a special effort to seek out the poor, the afflicted, the lonely, those exiled from their own land, and similarly those weighed down with special difficulties; he is also to labor diligently so that spouses and parents are supported in fulfilling their proper duties, and he is to foster growth in the Christian life within the family. **§ 2.** The pastor (parochus) is to acknowledge and promote the proper role which the lay members of the Christian faithful have in the Church's mission by fostering their associations for religious purposes; he is to cooperate with his own bishop and with the presbyterate of the diocese in working hard so that the faithful be concerned for parochial communion and that they realize that they are members both of the diocese and of the universal Church and participate in and support efforts to promote such communion.

**Can. 530** The following functions are especially entrusted to the pastor (parochus): (1) the administration of baptism; (2) the administration of the sacrament of confirmation to those who are in danger of death, according to the norm of can. 883, n. 3; (3) the administration of Viaticum and the anointing of the sick with due regard for the prescription of can. 1003, **§ § 2 and 3**, as well as the imparting of the apostolic blessing; (4) the assistance at marriages and the imparting of the nuptial blessing; (5) the performing of funerals; (6) the blessing of the baptismal font during the Easter season, the leading of processions outside the church and the imparting of solemn blessings outside the church; (7) the more solemn celebration of the Eucharist on Sundays and holy days of obligation.
Can. 531 Although another person may have performed some parochial function, that person is to put the offerings received from the Christian faithful on that occasion into the parish account, unless (nisi) it is obvious that such would be contrary to the will of the donor in the case of voluntary offerings; after he has listened to the presbyteral council, the diocesan bishop is competent to issue regulations which provide for the allocation of these offerings and the remuneration of clerics who fulfill the same function.

Can. 532 The pastor (parochus) represents the parish in all juridic affairs in accord with the norm of law; he is to see to it that the goods of the parish are administered in accord with the norms of cann. 1281-1288.

Can. 533 § 1. The pastor (parochus) is obliged to reside in a parish house close to the church; in particular cases, however, the local ordinary can permit him to live elsewhere, especially in a house shared by several presbyters, provided (dummodo) there is a just cause and suitable and due provision is made for the performance of parochial functions. § 2. Unless (nisi) there is a serious reason to the contrary, the pastor (parochus) may be absent each year from the parish on vacation for at most one continuous or interrupted month; the days which the pastor (parochus) spends once a year in spiritual retreat are not counted in his vacation days; if the pastor is to be absent from the parish beyond a week he is bound to inform the local ordinary of this. § 3. The diocesan bishop is to issue norms which provide for the care of a parish by a priest possessing the needed faculties during the absence of the pastor (parochus).

Can. 534 § 1. After he has taken possession of his parish the pastor (parochus) is obliged to apply Mass for the people entrusted to him each Sunday and holy day of obligation within the diocese; if he is legitimately prevented from this celebration, he is to apply Mass on these same days through another priest or he himself is to apply it on other days. § 2. A pastor (parochus) who has the care of several parishes is obliged to apply only one Mass for all the people entrusted to him on those days mentioned in § 1. § 3. A pastor (parochus) who has not satisfied the obligation mentioned in § § 1 and 2 is to apply as many Masses for his people as he has missed as soon as possible.

Can. 535 § 1. Each parish is to possess a set of parish books including baptismal, marriage and death registers as well as other registers prescribed by the conference of bishops or the diocesan bishop; the pastor (parochus)
is to see to it that these registers are accurately inscribed and carefully preserved. § 2. In the baptismal register are also to be noted the person's confirmation and whatever affects the canonical status of the Christian faithful by reason of marriage, with due regard for the prescription of can. 1133, adoption, reception of sacred orders, perpetual profession in a religious institute, and change of rite; these notations are always to be noted on a document which certifies the reception of baptism. § 3. Each parish is to possess its own seal; documents which are issued to certify the canonical status of the Christian faithful as well as all acts which can have juridic importance are to be signed by the pastor (parochus) or his delegate and sealed with the parish seal. § 4. Each parish is to have a registry or archive in which the parish books are kept along with episcopal letters and other documents which ought to be preserved due to necessity or usefulness; all these are to be inspected by the diocesan bishop or his delegate during his visitation or at another suitable time; the pastor (parochus) is to take care that they do not come into the hands of outsiders. § 5. The older parish books are also to be carefully preserved in accord with the prescriptions of particular law.

**Can.** 536 § 1. After the diocesan bishop has listened to the presbyteral council and if he judges it opportune, a pastoral council is to be established in each parish; the pastor (parochus) presides over it, and through it the Christian faithful along with those who share in the pastoral care of the parish in virtue of their office give their help in fostering pastoral activity. § 2. This pastoral council possesses a consultative vote only and is governed by norms determined by the diocesan bishop.

**Can.** 537 Each parish is to have a finance council which is regulated by universal law as well as by norms issued by the diocesan bishop; in this council the Christian faithful, selected according to the same norms, aid the pastor (parochus) in the administration of parish goods with due regard for the prescription of can. 532.

**Can.** 538 § 1. A pastor (parochus) ceases from office by means of removal or transfer by the diocesan bishop which has been done in accord with the norm of law, by resignation of the pastor (parochus) submitted for a just cause and accepted by the same diocesan bishop for validity and by lapse of time if the pastor has been appointed for a definite period of time in accord with the prescriptions of particular law mentioned in can. 522. § 2. A
pastor (parochus) who is a member of a religious institute or society of apostolic life is removed in accord with the norm of can. 682, § 2. § 3. When a pastor (parochus) has completed his seventy-fifth year of age he is asked to submit his resignation from office to the diocesan bishop, who, after considering all the circumstances of person and place, is to decide whether to accept or defer the resignation; the diocesan bishop, taking into account the norms determined by the conference of bishops, is to provide for the suitable support and housing of the resigned pastor.

Can. 539 When a parish becomes vacant or when the pastor (parochus) is prevented from exercising his pastoral office in the parish due to captivity, exile, banishment, incapacity, ill health, or some other cause, the diocesan bishop is to appoint as soon as possible a parochial administrator, that is, a priest who substitutes for the pastor in accord with the norm of can. 540.

Can. 540 § 1. A parochial administrator is bound by the same duties and enjoys the same rights as a pastor (parochus) unless ( nisi) the diocesan bishop determines otherwise. § 2. A parochial administrator is not permitted to do anything which can prejudice the rights of the pastor (parochus) or harm parish goods. § 3. After he has fulfilled his function the parochial administrator is to render an account to the pastor (parochus).

Can. 541 § 1. When a parish becomes vacant or when the pastor (parochus) is hindered from exercising his pastoral duty the parochial vicar is to assume the governance of the parish in the meantime until a parochial administrator is appointed; if there are several parochial vicars, the senior vicar in terms of appointment assumes the governance; if there are no parochial vicars, then a pastor (parochus) specified by particular law assumes the governance. § 2. The person who has assumed the governance of a parish in accord with the norm of § 1 is to inform the local ordinary immediately that the parish is vacant.

Can. 542 The priests who as a team have been entrusted with the pastoral care of some parish or group of different parishes in accord with the norm of can. 517, § 1: (1) are to be endowed with the qualities mentioned in can. 521; (2) are to be appointed or installed in accord with the prescriptions of cann. 522 and 524; (3) are responsible for pastoral care only from the moment of taking possession; their moderator is to be placed in possession of the parish in accord with the prescriptions of can. 527, § 2;
for the other priests a legitimately made profession of faith substitutes for taking possession.

**Can. 543** § 1. Each of the priests who as a team have been entrusted with the pastoral care of some parish or group of different parishes is obliged to perform the duties and functions of the pastor (parochus) which are mentioned in cann. 528, 529 and 530 in accord with an arrangement determined by themselves; all these priests possess the faculty to assist at marriages as well as all the faculties to dispense which are granted to the pastor (parochus) by the law itself, to be exercised, however, under the direction of the moderator. § 2. All the priests of the team: (1) are bound by the obligation of residence; (2) through common counsel are to establish an arrangement by which one of them celebrates Mass for the people in accord with the norm of can. 534. § 3. In juridic affairs only the moderator represents the parish or parishes entrusted to the team.

**Can. 544** When one of the priests in the team mentioned in can. 517, § 1 or its moderator ceases from office or when one of them becomes incapable of exercising pastoral duties the parish or parishes entrusted to the care of the team do not become vacant; however, the diocesan bishop is to name another moderator; the senior priest on the team in terms of assignment is to fulfill the office of moderator until another is appointed by the diocesan bishop.

**Can. 545** § 1. A parochial vicar or several of them can be associated with the pastor (parochus) whenever it is necessary or suitable for duly implementing the pastoral care of the parish; parochial vicars are priests who render their services in pastoral ministry as coworkers with the pastor (parochus) in common counsel and endeavor with him and also under his authority. § 2. A parochial vicar can be assigned to assist in fulfilling the entire pastoral ministry on behalf of an entire parish, a definite part of the parish, or a certain group of the Christian faithful of the parish; he can also be assigned to assist in fulfilling a certain type of ministry in different parishes concurrently.

**Can. 546** To be validly named parochial vicar one must be constituted in the sacred order of the presbyterate.

**Can. 547** The diocesan bishop freely names a parochial vicar, having hear, if he judges it opportune, the pastor (parochus) or pastors of the parishes
for which he is appointed and the vicar forane, with due regard for the prescription of can. 682, § 1. Can. 548 § 1. The obligations and rights of the parochial vicar are defined in the canons of this chapter, in the diocesan statutes, in the letter of the diocesan bishop and more specifically in the mandate give him by the pastor (parochus). § 2. Unless (nisi) the letter of the diocesan bishop expressly states otherwise the parochial vicar is obliged by reason of his office to assist the pastor (parochus) in fulfilling the total parochial ministry, except for the obligation to apply Mass for the people, and if circumstances warrant it, to substitute for the pastor (parochus) in accord with the norm of law. § 3. The parochial vicar is regularly to consult with the pastor (parochus) on planned or existing programs so that the pastor (parochus) and the parochial vicar or vicars can provide through their combined efforts for the pastoral care of the parish for which they are responsible together.

**Can.** 549 Unless (nisi) the diocesan bishop has provided otherwise in accord with the norm of can. 533, § 3, and unless (nisi) a parochial administrator has been appointed, the prescriptions of can. 541, § 1, should be observed during the absence of the pastor (parochus); in this case the parochial vicar is bound by all the obligations of the pastor (parochus) with the exception of the obligation to apply Mass for the people.

**Can.** 550 § 1. The parochial vicar is obliged to reside within the parish, or, if he has been appointed to different parishes concurrently, he is obliged to live in one of them; however, the local ordinary can permit him to reside elsewhere, especially in a house shared by several priests provided (dummodo) there is a just cause and such an arrangement does not hinder the discharge of his pastoral duties. § 2. The local ordinary is to see to it that some community of life is fostered between the pastor (parochus) and the parochial vicars within the rectory whenever this can be done. § 3. The parochial vicar possesses the same rights as the pastor (parochus) in the matter of vacation time.

**Can.** 551 The prescriptions of can. 531 are to be observed concerning the offerings which the Christian faithful give to the parochial vicar on the occasion of his performing his pastoral ministry.

**Can.** 552 With due regard for the prescription of can. 682, § 2, the parochial vicar can be removed by the diocesan bishop or by the diocesan administrator for a just cause.
Can. 553 § 1. A vicar forane, who is also called a dean or an archpriest or some other name, is a priest who is placed over a vicariate forane. § 2. Unless (nisi) particular law determines otherwise the vicar forane is named by the diocesan bishop after, in accord with his own prudent judgment, he has consulted the priests who exercise ministry within the vicariate in question.

Can. 554 § 1. For the office of vicar forane, which is not linked to the office of pastor (parochus) of a certain parish, the bishop is to select a priest whom he has judged suitable after he has considered the circumstances of place and time. § 2. A vicar forane is to be appointed for a certain period of time determined in particular law. § 3. The diocesan bishop can freely remove a vicar forane from office for a just cause in accord with his own prudent judgment.

Can. 555 § 1. In addition to the faculties legitimately granted him in particular law, a vicar forane has the duty and right: (1) to promote and coordinate the common pastoral activity within the vicariate; (2) to see to it that the clerics of his district lead a life which is in harmony with their state of life and diligently perform their duties; (3) to see to it that the religious functions are celebrated in accord with the prescriptions of the sacred liturgy, that the good appearance and condition of the churches and of sacred furnishings are carefully maintained especially in the celebration of the Eucharist and the custody of the Blessed Sacrament, that the parish books are correctly inscribed and duly cared for, that ecclesiastical goods are carefully administered, and finally that the rectory is maintained with proper care. § 2. Within the vicariate entrusted to him the vicar forane: (1) is to see to it that clerics, in accord with the prescriptions of particular law and at the times stated in such law, attend theological lectures, meetings, or conferences in accord with the norm of can. 279, § 2; (2) is to take care that the presbyteries of his district have ready access to spiritual helps and is to be particularly concerned about those priests who find themselves in rather difficult circumstances or who are beset with problems. § 3. The vicar forane is to take care that the pastors (parochus) of his district whom he knows to be seriously ill do not lack spiritual and material aids, while seeing to it that the funerals of those who die are celebrated with dignity; he is likewise to make provision that when they are sick or dying, the books, documents, sacred furnishings or other things which belong to the Church are not lost or transported elsewhere. § 4. The vicar forane is obliged to visit
the parishes of his district in accord with the regulations made by the diocesan bishop.

**Can. 556** Rectors of churches are understood to be priests to whom is given the care of some church which is neither parochial nor capitular nor connected with a house of a religious community or of a society of apostolic life which celebrates services in such a church.

**Can. 557** § 1. The diocesan bishop freely names the rector of a church, with due regard for the right of election or of presentation if someone legitimately possesses it; in this case the diocesan bishop is competent to confirm or to install the rector. **§ 2.** Even if the church belongs to some clerical religious institute of pontifical right the diocesan bishop is competent to install the rector presented by the superior. **§ 3.** Unless (nisi) the diocesan bishop has determined otherwise, the rector of a church which is connected with a seminary or other college which is governed by clerics is the rector of that seminary or college.

**Can. 558** With due regard for the prescription of can. 262, a rector is not allowed to perform the parochial functions mentioned in can. 530, nn. 1-6, in the church committed to him unless (nisi) the pastor (parochus) consents or delegates the rector if the matter warrants it.

**Can. 559** A rector can perform liturgical celebrations, even solemn ones, in the church committed to him with due regard for the legitimate laws of the foundations and as long as they do not harm the parochial ministry in the judgment of the local ordinary.

**Can. 560** When he thinks it advisable, the local ordinary can order the rector to celebrate within the church particular functions, even parochial ones, for the people and to make the church available to certain groups of the Christian faithful for the conducting of liturgical celebrations.

**Can. 561** Without the permission of the rector or of another legitimate superior no one is allowed to celebrate the Eucharist, administer the sacraments or perform other sacred functions in the church; this permission is to be granted or denied in accord with the norm of law.

**Can. 562** Under the authority of the local ordinary with due regard for legitimate statutes and vested rights, the rector of a church is obliged to see to it that the sacred functions are celebrated with dignity in the church in
accord with the liturgical norms and the prescriptions of the canons, that obligations are faithfully fulfilled, that its goods are carefully administered, that the maintenance and the good appearance of sacred furnishings and buildings are provided for and that nothing whatever is done which is in any way out of harmony with the sanctity of the place and the reverence due to a house of God.

**Can. 563** For a just cause and in accord with his own judgment the local ordinary can remove from office a rector of a church, even if he had been elected or presented by others, with due regard for the prescription of can. 682, § 2. Can. 564 A chaplain is a priest to whom is entrusted in a stable manner the pastoral care, at least in part, of some community or particular group of the Christian faithful, to be exercised in accord with universal and particular law.

**Can. 565** Unless (nisi) the law provides otherwise or special rights belong legitimately to someone, a chaplain is appointed by the local ordinary, who is also competent to install one who is presented or to confirm one who is elected.

**Can. 566** § 1. A chaplain ought to be given all the faculties which proper pastoral care requires. Besides those which are granted by particular law or special delegation, a chaplain in virtue of his office enjoys the faculty to hear the confessions of the faithful entrusted to his care, to preach the word of God to them, to administer Viaticum and the anointing of the sick, and to confer the sacrament of confirmation on those who are in danger of death. § 2. In hospitals, prisons and on sea journeys a chaplain, moreover, has the faculty, to be exercised only in those places, to absolve from censures latae sententiae which are not reserved or declared, with due regard for the prescription of can. 976.

**Can. 567** § 1. The local ordinary is not to proceed to the appointment of a chaplain for the house of a lay religious institute without (nisi) consulting the superior who has the right to propose a priest after hearing the community. § 2. It is the chaplain who celebrates or moderates liturgical functions; but he is not allowed to involve himself in the internal governance of the institute.

**Can. 568** To the extent it is possible, chaplains are to be appointed for those who cannot avail themselves of the ordinary care of a pastor
(parochus) because of the condition of their life, such as migrants, exiles, refugees, nomads, and sailors.

**Can.** 569 Military chaplains are governed by special laws.

**Can.** 570 If the headquarters of a community or group is attached to a nonparochial church the chaplain is to be the rector of that church, unless (nisi) the care of the community or church requires otherwise.

**Can.** 571 In exercising his pastoral office a chaplain is to maintain an appropriately close relationship with the pastor (parochus).

**Can.** 572 In regard to the removal of a chaplain the prescription of can. 563 shall be observed.

**PART THREE RELIGIOUS LAW**

**Sectio I. Titulus**

**Can.** 573 § 1. Life consecrated by the profession of the evangelical counsels is a stable form of living by which faithful, following Christ more closely under the action of the Holy Spirit, are totally dedicated to God who is loved most of all, so that, having dedicated themselves to His honor, the upbuilding of the Church and the salvation of the world by a new and special title, they strive for the perfection of charity in service to the Kingdom of God and, having become an outstanding sign in the Church, they may foretell the heavenly glory. § 2. Christian faithful who profess the evangelical counsels of chastity, poverty, and obedience by vows or other sacred bonds according to the proper laws of institutes freely assume this form of living in institutes of consecrated life canonically erected by competent church authority and through the charity to which these counsels lead they are joined to the Church and its mystery in a special way.

**Can.** 574 § 1. The state of those who profess the evangelical counsels in institutes of this kind pertains to the life and sanctity of the Church and for this reason is to be fostered and promoted by all in the Church. § 2. Certain Christian faithful are specially called to this state by God so that they may enjoy a special gift in the life of the Church and contribute to its salvific mission according to the purpose and spirit of the institute.
**Can.** 575 The evangelical counsels, based on the teaching and examples of Christ the Teacher, are a divine gift which the Church has received from the Lord and always preserves through His grace.

**Can.** 576 It belongs to the competent authority of the Church to interpret the evangelical counsels, to regulate their practice by laws, to institute therefrom stable forms of living by canonical approbation, and, for its part, to take care that the institutes grow and flourish according to the spirit of the founders and wholesome traditions.

**Can.** 577 In the Church there are very many institutes of consecrated life which have different gifts according to the grace which has been given them: they follow Christ more closely as He prays, announces the Kingdom of God, performs good works for people, shares His life with them in the world, and yet always does the will of the Father.

**Can.** 578 The intention of the founders and their determination concerning the nature, purpose, spirit and character of the institute which have been ratified by competent ecclesiastical authority as well as its wholesome traditions, all of which constitute the patrimony of the institute itself, are to be observed faithfully by all.

**Can.** 579 Diocesan bishops each in his own territory can erect institutes of consecrated life by a formal decree, provided (dummodo) that the Apostolic See has been consulted.

**Can.** 580 The aggregation of one institute of consecrated life to another is reserved to the competent authority of the aggregating institute, always safeguarding the canonical autonomy of the aggregated institute.

**Can.** 581 Dividing an institute into parts, whatever the parts are called, erecting new ones, joining previously erected parts or defining them in another way pertains to the competent authority of the institute, in accord with the norm of the constitutions.

**Can.** 582 Mergers and unions of institutes of consecrated life are reserved to the Apostolic See alone; confederations and federations are also reserved to it.

**Can.** 583 Changes in institutes of consecrated life which affect matters which have been approved by the Apostolic See cannot be made without its permission.
**Can.** 584 Suppressing an institute pertains to the Apostolic See alone, to whom also it is reserved to determine what is to be done with the temporal goods of the institute.

**Can.** 585 Suppressing parts of an institute pertains to the competent authority of the institute itself.

**Can.** 586 § 1. For individual institutes there is acknowledged a rightful autonomy of life, especially of governance, by which they enjoy their own discipline in the Church and have the power to preserve their own patrimony intact as mentioned in can. 578. § 2. It belongs to local ordinaries to safeguard and protect this autonomy.

**Can.** 587 § 1. In order to protect more faithfully the particular vocation and identity of each institute, its fundamental code or constitutions must contain, besides what must be observed according to can. 578, fundamental norms about the governance of the institute and the discipline of members, the incorporation and formation of members, and the proper object of sacred bonds. § 2. A code of this kind is approved by the competent authority of the Church and can be changed only with its consent. § 3. In this code spiritual and juridical elements are to be suitably joined together; however norms are not to be multiplied unless it is necessary. § 4. Other norms established by the competent authority of the institute are to be suitably collected in other codes, which can moreover be fittingly reviewed and adapted according to the needs of places and times.

**Can.** 588 § 1. The state of consecrated life by its very nature is neither clerical nor lay. § 2. An institute is said to be clerical if, by reason of the purpose or design intended by its founder or in virtue of legitimate tradition, it is under the supervision of clerics, it assumes the exercise of sacred orders, and it is recognized as such by church authority. § 3. An institute is called lay if recognized as such by church authority, by virtue of its nature, character and purpose it has a proper function defined by the founder or by legitimate tradition which does not include the exercise of sacred orders.

**Can.** 589 An institute of consecrated life is said to be of pontifical right if it has been erected by the Apostolic See or approved by a formal decree of the Apostolic See; on the other hand an institute is said to be of diocesan right if, after having been erected by a diocesan bishop, it has not obtained a decree of approval from the Apostolic See.
**Can. 590** § 1. Institutes of consecrated life, inasmuch as they are dedicated in a special way to the service of God and of the entire Church, are subject to the supreme authority of this same Church in a special manner. § 2. Individual members are also bound to obey the Supreme Pontiff as their highest superior by reason of the sacred bond of obedience.

**Can. 591** In order to provide better for the good of institutes and the needs of the apostolate, the Supreme Pontiff, by reason of his primacy over the universal Church and considering the common good, can exempt institutes of consecrated life from the governance of local ordinaries and subject them either to himself alone or to another ecclesiastical authority.

**Can. 592** § 1. In order that the communion of institutes with the Apostolic See be better fostered each supreme moderator is to send a brief report on the status and life of the institute to the Apostolic See in a manner and at a time determined by the latter. § 2. The moderators of every institute are to promote knowledge of the documents of the Holy See which affect members entrusted to them and be concerned about their observance of them.

**Can. 593** With due regard for the prescription of can. 586, institutes of pontifical right are immediately and exclusively subject to the power of the Apostolic See in internal governance and discipline.

**Can. 594** With due regard for can. 586, an institute of diocesan right remains under the special care of the diocesan bishop.

**Can. 595** § 1. It belongs to the bishop of the principal seat of the institute to approve the constitutions and confirm any changes legitimately introduced into them, except in those matters in which the Apostolic See has intervened; it also belongs to him to deal with business of greater importance which affects the whole institute and which is beyond the power of its internal authority; he does so after consulting other diocesan bishops if the institute has spread to several dioceses. § 2. The diocesan bishop can grant dispensations from the constitutions in particular cases.

**Can. 596** § 1. Superiors and chapters of institutes enjoy that power over members which is defined in universal law and the constitutions. § 2. Moreover, in clerical religious institutes of pontifical right they also possess ecclesiastical power of governance for both the external and the internal forum. § 3. The prescriptions of cann. 131, 133 and 137-144 are applicable to the power referred to in § 1. Can. 597 § 1. Any Catholic, endowed with a
right intention, who has the qualities required by universal and proper law and who is not prevented by any impediment can be admitted to an institute of consecrated life. § 2. No one can be admitted without suitable preparation.

Can. 598 § 1. Each institute, keeping in mind its own character and purposes is to define in its constitutions the manner in which the evangelical counsels of chastity, poverty, and obedience are to be observed for its way of living. § 2. All members must not only observe the evangelical counsels faithfully and fully, but also organize their life according to the proper law of the institute and thereby strive for the perfection of their state.

Can. 599 The evangelical counsel of chastity assumed for the sake of the kingdom of heaven, as a sign of the future world and a source of more abundant fruitfulness in an undivided heart, entails the obligation of perfect continence in celibacy.

Can. 600 The evangelical counsel of poverty in imitation of Christ who, although he was rich became poor for us, entails, besides a life which is poor in fact and in spirit, a life of labor lived in moderation and foreign to earthly riches, a dependence and a limitation in the use and disposition of goods according to the norm of the proper law of each institute.

Can. 601 The evangelical counsel of obedience, undertaken in a spirit of faith and love in the following of Christ who was obedient even unto death requires a submission of the will to legitimate superiors, who stand in the place of God when they command according to the proper constitutions.

Can. 602 The life of brothers or sisters proper to each institute, by which all members are united together like a special family in Christ, is to be determined in such a way that it becomes a mutual support for all in fulfilling the vocation of each member. Moreover by their communion as brothers or sisters, rooted in and built on love, the members are to be an example of universal reconciliation in Christ.

Can. 603 § 1. Besides institutes of consecrated life, the Church recognizes the eremitic or anchoritic life by which the Christian faithful devote their life to the praise of God and the salvation of the world through a stricter separation from the world, the silence of solitude and assiduous prayer and penance. § 2. A hermit is recognized in the law as one dedicated to God in a consecrated life if he or she publicly professes the three evangelical
counsels, confirmed by a vow or other sacred bond, in the hands of the diocesan bishop and observes his or her own plan of life under his direction.

**Can. 604 § 1.** Similar to these forms of consecrated life is the order of virgins, who, committed to the holy plan of following Christ more closely, are consecrated to God by the diocesan bishop according to the approved liturgical rite, are betrothed mystically to Christ, the Son of God, and are dedicated to the service of the Church. § 2. In order to observe their commitment more faithfully and to perform by mutual support service to the Church which is in harmony with their state these virgins can form themselves into associations.

**Can. 605** Approving new forms of consecrated life is reserved to the Apostolic See alone. Diocesan bishops, however, should strive to discern new gifts of consecrated life granted to the Church by the Holy Spirit and they should aid their promoters so that they can express their proposals as well as possible and protect them with suitable statutes, utilizing especially the general norms contained in this section.

**Can. 606** Whatever is determined about institutes of consecrated life and their members applies equally to either sex, unless (nisi) the contrary is apparent from the context of the wording or nature of the matter.

**Can. 607 § 1.** Religious life, as a consecration of the whole person, manifests in the Church a wonderful marriage brought about by God, a sign of the future age. Thus religious bring to perfection their full gift as a sacrifice offered to God by which their whole existence becomes a continuous worship of God in love. § 2. A religious institute is a society in which members, according to proper law, pronounce public vows either perpetual or temporary, which are to be renewed when they have lapsed, and live a life in common as brothers or sisters. § 3. The public witness to be rendered by religious to Christ and to the Church entails a separation from the world proper to the character and purpose of each institute.

**Can. 608** A religious community must live in a house legitimately constituted under the authority of the superior designated according to the norm of law; each house is to have at least an oratory in which the Eucharist is celebrated and reserved so that it truly is the center of the community.

**Can. 609 § 1.** Houses of a religious institute are erected by the competent authority according to the constitutions with the previous written consent of
the diocesan bishop. § 2. In order to erect a monastery of nuns the permission of the Apostolic See is also required.

**Can.** 610 § 1. The erection of houses takes place with due regard for their usefulness for the Church and the institute and safeguarding those things which are required for the correct living out of the religious life of the members according to the specific purposes and spirit of the institute. § 2. No house is to be erected unless (nisi) it can be prudently judged that the needs of the members will be suitably provided for.

**Can.** 611 The consent of the diocesan bishop to erect a religious house of any institute brings with it the right: (1) to lead a life according to its own character and the purposes of the institute; (2) to exercise the works proper to the institute according to the norm of law, with due regard for any conditions attached to the consent; (3) for clerical institutes to have a church, with due regard for the prescription of can. 1215, § 3, and to perform sacred ministries, observing what is by law to be observed.

**Can.** 612 In order that a religious house be converted to apostolic works different from those for which it was established the consent of the diocesan bishop is required; but this is not so if it is a matter of a change which refers only to internal government and discipline, with due regard for the laws of the foundation.

**Can.** 613 § 1. A religious house of canons regular and monks under the governance and care of its own moderator is autonomous unless (nisi) the constitutions state otherwise. § 2. A moderator of an autonomous house is by law a major superior.

**Can.** 614 Monasteries of nuns which are associated with an institute of men maintain their own order of life and governance according to the constitutions. Mutual rights and obligations are to be so defined that the association is spiritually enriching.

**Can.** 615 An autonomous monastery which has no other major superior beyond its own moderator and is not associated with any other institute of religious in such a way that the superior of the latter enjoys true power over such a monastery determined by the constitutions is committed to the special vigilance of the diocesan bishop according to the norm of law.
Can. 616 § 1. A legitimately erected religious house can be suppressed by the supreme moderator according to the norm of the constitutions after having consulted the diocesan bishop. The proper law of the institute is to provide for the goods of the suppressed house, with due regard for the wills of the founders and donors or for legitimately acquired rights. § 2. The suppression of the only house of an institute pertains to the Holy See, to which is also reserved the right to determine what is to be done in that case with its goods. § 3. The suppression of an autonomous house, such as that described in can. 613, belongs to the general chapter, unless (nisi) the constitutions state otherwise. § 4. The suppression of an autonomous monastery of nuns pertains to the Apostolic See, with due regard for the prescriptions of the constitutions with regard to its goods.

Can. 617 Superiors are to fulfill their duty and exercise their power according to the norm of universal and proper law.

Can. 618 Superiors are to exercise their power, received from God through the ministry of the Church, in a spirit of service. Therefore, docile to the will of God in carrying out their duty, they are to govern their subjects as children of God and, promoting their voluntary obedience with reverence for the human person, they are to listen to them willingly and foster their working together for the good of the institute and of the Church, but with the superiors' authority to decide and prescribe what must be done remaining intact.

Can. 619 Superiors are to devote themselves to their office assiduously and, together with the members entrusted to them, they should be eager to build a community of brothers or sisters in Christ in which God is sought after and loved before all else. therefore, they are to nourish the members frequently with the food of the word of God and lead them to the celebration of the sacred liturgy. They are to be an example to the members in cultivating virtues and in the observance of the laws and traditions of the particular institute; they are to meet the personal needs of the members in an appropriate fashion, look after solicitously and visit the sick, admonish the restless, console the faint of heart, and be patient toward all.

Can. 620 Major superiors are those who govern a whole institute, a province of an institute, some part equivalent to a province, or an autonomous house, as well as their vicars. Comparable to these are the
abbot primate and superior of a monastic congregation, who nonetheless do not have all the power which universal law grants major superiors.

**Can.** 621 The grouping of several houses under the same superior which constitutes an immediate part of the institute and which has been canonically erected by the legitimate authority is called a province.

**Can.** 622 The supreme moderator holds power over all provinces, houses and members of the institute, which is to be exercised according to proper law; other superiors enjoy power within the limits of their office.

**Can.** 623 In order that members be validly appointed or elected to the office of superior, a suitable time is required after perpetual or definitive profession, to be determined by proper law, or if it is a question of major superiors, by the constitutions.

**Can.** 624 § 1. Superiors are to be constituted for a certain and appropriate amount of time according to the nature and needs of the institute, unless (nisi) the constitutions state otherwise for the supreme moderator and for superiors of autonomous houses. § 2. Proper law is to provide in suitable norms that superiors constituted for a definite time do not remain too long in offices of governance without an interruption. § 3. Nevertheless they can be removed from office during their term or transferred to another office for reasons determined in proper law.

**Can.** 625 § 1. The supreme moderator of an institute is to be designated by canonical election according to the norm of the constitutions. § 2. The bishop of the principal seat presides at elections of the superior of an autonomous monastery, mentioned in can. 615, and of the supreme moderator of an institute of diocesan right. § 3. Other superiors are to be constituted according to the norm of the constitutions, but in such a way that if they are elected they need the confirmation of the competent major superior; if they are appointed by the superior, a suitable consultation is to precede.

**Can.** 626 Superiors in the conferral of offices and members in elections are to observe the norms of universal and proper law, abstain from any abuse or partiality and name or elect those whom they know in the Lord to be truly worthy and suitable having nothing in mind but God and the good of the institute. Moreover, in elections they are to avoid any procurement of votes either directly or indirectly for themselves or for others.
Can. 627 § 1. According to the norm of the constitutions, superiors are to have their own council, whose assistance they are to use in carrying out their office. § 2. Besides the cases prescribed in universal law, proper law is to determine cases in which consent or counsel is required in order to act validly, which must be obtained in accord with the norm of can. 127.

Can. 628 § 1. Superiors who are designated for this function by the proper law of the institute are to visit the houses and members entrusted to them at the times designated by the norms of this same proper law. § 2. It is the right and the duty of the diocesan bishop to visit even with respect to religious discipline: (1) autonomous monasteries mentioned in can. 615; (2) individual houses of an institute of diocesan right situated in his territory. § 3. Members are to deal in a trusting manner with a visitator, whose legitimate questions they are obliged to answer according to truth in love; moreover no one is permitted in any way to divert members from this obligation or otherwise to impede the scope of the visitation.

Can. 629 All superiors are to reside in their respective houses and not absent themselves from it, unless (nisi) according to the norm of proper law.

Can. 630 § 1. Superiors are to recognize the due freedom of their members concerning the sacrament of penance and the direction of conscience, with due regard however for the discipline of the institute. § 2. According to the norm of proper law superiors are to be solicitous that suitable confessors to whom they can confess frequently be available to members. § 3. In monasteries of nuns, in houses of formation and in more numerous lay communities there are to be ordinary confessors approved by the local ordinary after consultation with the community; members nevertheless have no obligation to approach them. § 4. Superiors are not to hear the confessions of their subjects unless (nisi) the latter request it of their own initiative. § 5. Members are to approach superiors with trust, to whom they can express their minds freely and willingly. However, superiors are forbidden to induce their subjects in any way to make a manifestation of conscience to them.

Can. 631 § 1. The general chapter, which holds supreme authority in the institute according to the norm of the constitutions, is to be so formed that, representing the entire institute, it should be a true sign of its unity in love. Its foremost duty is this: to protect the patrimony of the institute mentioned in can. 578, and promote suitable renewal in accord with this patrimony, to
elect the supreme moderator, to treat major business matters and to publish norms which all are bound to obey. § 2. The composition and the extent of the power of the chapter is to be defined in the constitutions; proper law is to determine further the order to be observed in the celebration of the chapter, especially regarding elections and procedures for handling various matters. § 3. According to norms determined in proper law, not only provinces and local communities but also any member at all can freely send his or her wishes and suggestions to the general chapter.

Can. 632 Proper law is to determine clearly what pertains to other chapters of the institute and other similar gathers, namely, regarding their nature, authority, composition, mode of procedure and time of celebration.

Can. 633 § 1. Organs of participation or consultation are to carry out faithfully the duty entrusted to them according to the norm of universal and proper law and to express in their own way the concern and participation of all members for the good of the entire institute or community. § 2. Wise discretion is to be used in establishing and using these means of participation and consultation, and their procedures are to conform to the character and purpose of the institute.

Can. 634 § 1. Institutes, provinces and houses, insofar as they are juridic persons by the law itself, are capable of acquiring, possessing, administering and alienating temporal goods, unless (nisi) this capacity has been excluded or restricted in the constitutions. § 2. Nevertheless, they are to avoid all appearance of luxury, immoderate wealth and amassing of goods.

Can. 635 § 1. The temporal goods of religious institutes, since they are ecclesiastical goods, are regulated by the prescriptions of Book V, The Temporal Goods of the Church, unless (nisi) it is expressly stated otherwise. § 2. Nevertheless, each institute is to determine appropriate norms for the use and administration of goods so that the poverty appropriate to the institute is fostered, protected and expressed.

Can. 636 § 1. In each institute and likewise in each province which is governed by a major superior there is to be a finance officer, distinct from the major superior and constituted according to the norm of proper law, who carries out the administration of goods under the direction of the respective superior. Even in local communities there is to be a finance officer distinct from the local superior to the extent that it is possible. § 2. At the time and
in the manner determined by proper law finance officers and other administrators are to render an account of their administrative actions to the competent authority.

**Can. 637** Autonomous monasteries mentioned in can. 615 must render an account of their administration once a year to the local ordinary; moreover, the local ordinary has the right to know about the financial reports of religious houses of diocesan right.

**Can. 638** § 1. It is for proper law, within the scope of universal law, to determine acts which exceed the limit and manner of ordinary administration and to determine those things which are necessary to place an act of extraordinary administration validly. § 2. Besides superiors, officials who are designated for this purpose in the proper law can validly incur expenses and perform juridic acts of ordinary administration within the limits of their office. § 3. For validity of alienation and any other business transaction in which the patrimonial condition of a juridic person can be affected adversely, there is required the written permission of the competent superior with the consent of the council. If, moreover, it concerns a business transaction which exceeds the highest amount defined for a given region by the Holy See, or items given to the Church in virtue of a vow, or items of precious art or of historical value, the permission of the Holy See is also required. § 4. For the autonomous monasteries mentioned in can. 615 and for institutes of diocesan right it is additionally necessary to have the written consent of the local ordinary.

**Can. 639** § 1. A juridic person which has contracted debts and obligations even with the permission of the superior is bound to answer for them. § 2. If a member with permission of the superior has made a contract concerning personal goods, the member must answer for it, but if the business of the institute was conducted by order of the superior, the institute must answer. § 3. A religious who has made a contract without any permission of superiors must answer for it, but not the juridic person. § 4. It shall be a fixed rule, nevertheless, that an action can always be brought against one who has profited from the contract entered into. § 5. Religious superiors are to be careful that they do not permit debts to be contracted unless (nisi) it is certain that the interest on the debt can be paid from ordinary income and that the capital sum can be paid off through legitimate amortization within a time that is not excessively long.
Can. 640 Taking into account local conditions institutes are to strive to
give, as it were, collective witness of charity and poverty and are to
contribute what they can of their own goods for the needs of the Church and
the sustenance of the poor.

Can. 641 The right of admitting candidates to the novitiate pertains to
major superiors according to the norm of proper law.

Can. 642 Superiors are to be vigilant about admitting only those who,
besides the required age, have health, suitable character and sufficient
qualities of maturity to embrace the particular life of the institute; this
health, character, and maturity are to be attested to, if necessary by using
experts, with due regard for the prescription of can. 220.

Can. 643 § 1. One is invalidly admitted to the novitiate: (1) who has not
yet completed the seventeenth year of age; (2) who is a spouse, during a
marriage; (3) who is presently held by a sacred bond with any institute of
consecrated life or who is incorporated in any society of apostolic life, with
due regard for the prescription of can. 684; (4) who enters the institute as a
result of force, grave fear or fraud, or whom the superior receives induced in
the same way; (5) who has concealed his or her incorporation in any
institute of consecrated life or society of apostolic life. § 2. Proper law can
establish other impediments to admission, even for validity, or can add other
conditions.

Can. 644 Superiors are not to admit to the novitiate secular clerics if their
local ordinary has not been consulted or those who, burdened by debts,
cannot repay them.

Can. 645 § 1. Before they are admitted to the novitiate, candidates must
show proof of baptism, confirmation and free status. § 2. If it is a question
of admitting clerics or those who have been admitted to another institute of
consecrated life, a society of apostolic life or a seminary, there is further
required the testimony of the local ordinary or major superior of the institute
or society or of the rector of the seminary respectively. § 3. Proper law can
demand other testimonies about the requisite suitability of candidates and
their freedom from impediments. § 4. If it appears necessary superiors can
ask for other information, even with the obligation of secrecy.

Can. 646 The novitiate, by which life in the institute begins, is ordered to
this, that the novices better recognize their divine vocation and one which is,
moreover, proper to the institute, that they experience the institute’s manner of living, that they be formed in mind and heart by its spirit, and that their intention and suitability be tested.

**Can. 647 § 1.** The erection, transfer and suppression of a novitiate house are to take place through a written decree of the supreme moderator of the institute with the consent of his or her council. § 2. In order to be valid a novitiate must be made in a house properly designated for this purpose. In particular cases and as an exception, by concession of the supreme moderator with the consent of this council, a candidate can make the novitiate in another house of the institute under the guidance of an approved religious who assumes the role of director of novices. § 3. A major superior can permit a group of novices to live for a stated period of time in another house of the institute, designated by the same superior.

**Can. 648 § 1.** In order that the novitiate be valid it must include twelve months spent in the community of the novitiate itself, with due regard for the prescription of can. 647, § 3. § 2. To complete the formation of the novices, in addition to the time mentioned in § 1, the constitutions can determine one or several periods of apostolic exercises to be spent outside the novitiate community. § 3. The novitiate is not to extend beyond two years.

**Can. 649 § 1.** With due regard for the prescriptions of cann. 647, § 3, and 648, § 2, absence from the novitiate house which lasts more than three months, either continuous or interrupted, renders the novitiate invalid. An absence of more than fifteen days must be made up. § 2. With the permission of the competent major superior first profession can be anticipated, but not by more than fifteen days.

**Can. 650 § 1.** The scope of the novitiate demands that the novices be formed under the guidance of a director according to the program of training to be defined by the proper law. § 2. The governance of novices is reserved to one director under the authority of the major superiors.

**Can. 651 § 1.** The director of novices is to be a member of the institute who has professed perpetual vows and is legitimately designated. § 2. If there is a need, assistants can be given to the director to whom they are subject regarding the governance of the novitiate and the program of training. § 3. Members who have been carefully prepared and who, not
impeded by other duties, can carry out this duty fruitfully and in a stable manner are to be in charge of the training of novices.

**Can. 652 § 1.** It is for the director and assistants to discern and test the vocation of the novices and to form them gradually to lead correctly the life of perfection proper to the institute. **§ 2.** The novices are to be led to cultivate human and Christian virtues; they are to be introduced to a fuller way of perfection by prayer and self-denial they are to be instructed to contemplate the mystery of salvation and to read and meditate on the Sacred Scriptures; they are to be prepared to cultivate the worship of God in the sacred liturgy; they are to be trained in a way of life consecrated by the evangelical counsels to God and humankind in Christ; they are to be educated about the character and spirit, purpose and discipline, history and life of their institute; and they are to be imbued with a love for the Church and its sacred pastors. **§ 3.** Conscious of their own responsibility, the novices are to collaborate actively with their director so that they may faithfully respond to the grace of a divine vocation. **§ 4.** Members of the institute are to take care that on their part they cooperate in the work of training novices by the example of their life and by prayer. **§ 5.** The time of novitiate mentioned in can. 648, **§ 1,** is to be employed properly in the work of formation and therefore the novices are not to be occupied with studies and duties which do not directly serve this formation.

**Can. 653 § 1.** A novice can freely leave an institute; moreover the competent authority of the institute can dismiss a novice. **§ 2.** When the novitiate is completed, a novice, if judged suitable, is to be admitted to temporary profession; otherwise the novice is to be dismissed. If there is a doubt about the novice's suitability, the time of probation can be extended by the major superior according to the norm of proper law, but not more than six months.

**Can. 654** By religious profession members assume by public vow the observance of the three evangelical counsels, are consecrated to God through the ministry of the Church, and are incorporated into the institute with rights and duties defined by law.

**Can. 655** Temporary profession is made for the time defined in proper law, which may not be less than three years and no longer than six.
**Can.** 656 For the validity of temporary profession, it is required that: (1) the person who is about to make the profession shall have completed at least the eighteenth year of age; (2) the novitiate has been validly completed; (3) admission has been freely given by the competent superior with the vote of the council in accord with the norm of law; (4) the profession be expressed and made without force, grave fear or fraud; (5) the profession be received by the legitimate superior personally or through another.

**Can.** 657 § 1. When the time for which the profession has been made has elapsed the religious who freely requests it and is judged suitable is to be admitted to a renewal of profession or to perpetual profession; otherwise the religious is to leave. § 2. If it seems opportune the period of temporary profession can be extended by the competent superior, according to proper law, but in such a way that the entire time in which the member is bound by temporary vows does not exceed nine years. § 3. Perpetual profession can be anticipated for a just cause, but not by more than three months.

**Can.** 658 Besides the conditions mentioned in can. 656, nn. 3, 4 and 5 and others attached by proper law, for the validity of perpetual profession the following are required: (1) the completion of at least the twenty-first year of age; (2) previous temporary profession for at least three years, with due regard for the prescription of can. 657, § 3. Can. 659 § 1. In individual institutes after first profession the formation of all members is to be continued so that they may lead more fully the proper life of the institute and carry out its mission more suitably. § 2. Therefore, proper law must define the program of this formation and its duration, keeping in mind the needs of the Church and the circumstances of human persons and times to the extent this is required by the purpose and character of the institute. § 3. The formation of members who are preparing to receive holy orders is regulated by universal law and by the program of studies proper to the institute.

**Can.** 660 § 1. The formation is to be systematic, adapted to the capacity of the members, spiritual and apostolic, doctrinal and at the same time practical, and when it seems opportune, leading to appropriate degree both ecclesiastical and civil. § 2. During the time of this formation duties and jobs which would impede the formation are not to be assigned to members.
Can. 661 Throughout their entire life religious are to continue carefully their own spiritual, doctrinal, and practical formation, and superiors are to provide them with the resources and time to do this.

Can. 662 Religious are to have as their highest rule of life the following of Christ as proposed in the gospel and expressed in the constitutions of their institute.

Can. 663 § 1. Contemplation of divine things and assiduous union with God in prayer is to be the first and foremost duty of all religious. § 2. Members are to participate in the Eucharistic Sacrifice daily if possible, receive the Most Sacred Body of Christ and adore this same Lord present in the Sacrament. § 3. They should apply themselves to the reading of Sacred Scripture and to mental prayer; they are to celebrate the liturgy of the hours worthily according to the prescriptions of proper law, with due regard for the obligation of clerics in can. 276, § 2, n. 3, and they are to perform other exercises of piety. § 4. They are to cultivate a special devotion to the Virgin Mother of God, model and protector of all consecrated life, including the Marian rosary. § 5. They are faithfully to observe an annual period of spiritual retreat.

Can. 664 Religious are to apply themselves to conversion of heart to God, examine their conscience even daily, and frequently approach the sacrament of penance.

Can. 665 § 1. Observing a common life, religious are to live in their own religious house and not be absent from it without the permission of their superior. However, if it is a question of a lengthy absence from the house the major superior for a just cause and with the consent of the council can permit the member to live outside a house of the institute, but not for more than a year, except for the purpose of caring for poor health, for the purpose of studies or of undertaking an apostolate in the name of the institute. § 2. Members unlawfully absent from the religious house with the intention of withdrawing from the power of their superiors are to be solicitously sought after by them and aided to return and persevere in their vocation.

Can. 666 Necessary discretion is to be observed in the use of media of social communication, and whatever is harmful to one's vocation and dangerous to the chastity of a consecrated person is to be avoided.
Can. 667 § 1. In all houses cloister adapted to the character and mission of the institute is to be observed according to the determinations of proper law, with some part of the religious house always being reserved to the members alone. § 2. A stricter discipline of cloister is to be observed in monasteries ordered to the contemplative life. § 3. Monasteries of nuns which are totally ordered to the contemplative life must observe papal cloister, namely according to norms given by the Apostolic See. Other monasteries of nuns are to observe cloister adapted to their own character and defined in the constitutions. § 4. For a just cause the diocesan bishop has the faculty of entering the cloister of monasteries of nuns which are in his diocese, and, for a grave cause and with the consent of the superior, of permitting others to enter the cloister and nuns to leave the cloister for a truly necessary period of time.

Can. 668 § 1. Members are to cede the administration of their goods to whomever they prefer before first profession, and unless ( nisi) the constitutions state otherwise, they are freely to make disposition for their use and their revenues. Moreover, they are to draw up a will, which is also valid in civil law, at least before perpetual profession. § 2. In order to change these dispositions for a just cause and to place any act whatsoever in matters of temporal goods they need the permission of the superior who is competent according to the norm of proper law. § 3. Whatever a religious acquires through personal work or by reason of the institute is acquired for the institute. Unless ( nisi) it is otherwise stated in proper law those things which accrue to a religious by way of pension, subsidy or insurance in any way whatever are acquired for the institute. § 4. Those who must renounce their goods completely because of the nature of the institute are to make a renunciation before perpetual profession in a form which, if possible, is also valid in civil law and takes effect from the day of profession. Religious in perpetual vows who wish to renounce their goods either in part or totally according to the norm of proper law and with permission of the supreme moderator are to do the same thing. § 5. Professed religious who have fully renounced all their goods because of the nature of the institute lose the capacity of acquiring and possessing, and therefore invalidly place acts contrary to the vow of poverty. Moreover, those things which accrue to them after the act of renunciation belong to the institute, according to the norm of proper law.
Can. 669 § 1. Religious are to wear the habit of the institute made according to the norm of proper law as a sign of their consecration and as a testimony of poverty. § 2. Clerical religious of an institute which does not have its own habit are to wear clerical dress according to the norm of can. 284.

Can. 670 An institute must furnish for its members all those things which are necessary according to the norm of the constitutions for achieving the purpose of their vocation.

Can. 671 A religious is not to accept duties and offices outside the institute without the permission of the legitimate superior.

Can. 672 Religious are bound by the prescriptions of cann. 277, 285, 286, 287, and 289, and, moreover, religious clerics are bound by the prescriptions of can. 279, § 2; in lay institutes of pontifical right, the permission mentioned in can. 285, § 4 can be granted by the proper major superior.

Can. 673 The apostolate of all religious consists first in their witness of a consecrated life which they are bound to foster by prayer and penance.

Can. 674 Institutes which are wholly ordered to contemplation always retain a distinguished position in the mystical Body of Christ: for they offer an extraordinary sacrifice of praise to God, they illuminate the people of God with the richest fruits of their sanctity, they move it by their example, and extend it through their hidden apostolic fruitfulness. For this reason, however much the needs of the active apostolate demand it, members of these institutes cannot be summoned to aid in various pastoral ministries.

Can. 675 § 1. In institutes dedicated to works of the apostolate, apostolic action pertains to their very nature. Hence, the whole life of members is to be imbued with an apostolic spirit, indeed the whole apostolic action is to be informed by a religious spirit. § 2. Apostolic action is always to proceed from an intimate union with God, and it is to confirm and foster that union. § 3. Apostolic action, to be exercised in the name and by the mandate of the Church, is to be carried out in it communion.

Can. 676 Lay institutes, whether of men or women, share in the pastoral office of the Church through spiritual and corporal works of mercy and offer
the most diverse services to men and women; therefore they are to persevere faithfully in the grace of their vocation.

**Can.** 677 § 1. Superiors and members are faithfully to retain the mission and works proper to the institute; nevertheless they are to accommodate these prudently to the needs of times and places, including the use of new and appropriate means. § 2. Moreover, if they have associations of the Christian faithful related to them, institutes are to assist them with special care so that they are imbued with a genuine spirit of their family.

**Can.** 678 § 1. Religious are subject to the authority of bishops, whom they are obliged to follow with devoted humility and respect, in those matters which involve the care of souls, the public exercise of divine worship and other works of the apostolate. § 2. In exercising an external apostolate, religious are also subject to their own superiors and must remain faithful to the discipline of the institute, which obligation bishops themselves should not fail to insist upon in cases which warrant it. § 3. In organizing the works of the apostolate of religious, it is necessary that diocesan bishops and religious superiors proceed after consultation with each other.

**Can.** 679 When a most serious reason demands it a diocesan bishop can prohibit a member of a religious institute from living in his diocese; if the major superior of that religious has been advised and neglects to act, the matter is to be referred to the Holy See immediately.

**Can.** 680 Among the various institutes and also between them and the secular clergy, orderly cooperation as well as a coordination of all apostolic works and activities, under the direction of the diocesan bishop, with due regard for the character and purpose of individual institutes and the laws of the foundation, is to be promoted.

**Can.** 681 § 1. Works which are entrusted to religious by the diocesan bishop are subject to the authority and direction of this same bishop, with due regard for the right of religious superiors according to the norm of can. 678, §§ 2 and 3. § 2. In these cases a written agreement is to be drawn up between the diocesan bishop and the competent superior of the institute, 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 economic matters.
Can. 682 § 1. If there is a question of conferring an ecclesiastical office in the diocese upon a certain religious, the religious is appointed by the diocesan bishop, following presentation by or at least assent of the competent superior. § 2. A religious can be removed from the office entrusted to him or her either at the discretion of the authority who entrusted it, after having notified the religious superior, or at the discretion of the superior, having notified the authority; and neither requires the consent of the other.

Can. 683 § 1. At the time of the pastoral visitation and also in case of necessity the diocesan bishop, either in person or through someone else, can make a visitation of the churches of religious or of their oratories, which the Christian faithful habitually attend, schools and other works of religion or charity, whether temporal or spiritual, entrusted to religious; however he may not visit schools which are open only to students belonging to the institute. § 2. But if by chance he discovers abuses and has advised the religious superior in vain, he himself can provide for it on his own authority.

Can. 684 § 1. A member in perpetual vows cannot transfer from one religious institute to another without (nisi) the permission of the supreme moderator of each institute given with the consent of their respective councils. § 2. After completing a probationary period which is to last at least three years, the member can be admitted to perpetual profession in the new institute. However, if the member refuses to make this profession or is not admitted to making it by competent superiors, the member is to return to the former institute, unless (nisi) an indult of secularization has been obtained. § 3. For a religious to transfer from an autonomous monastery to another of the same institute or federation or confederation, it is required and is sufficient to have the consent of the major superior of both monasteries and the chapter of the receiving monastery, with due regard for other requirements determined in proper law; a new profession is not required. § 4. Proper law is to determine the time and mode of probation which is to precede the profession of a member in the new institute. § 5. For one to transfer to a secular institute or a society of apostolic life or from them to a religious institute permission of the Holy See is required, and its mandates are to be observed.

Can. 685 § 1. Until the religious makes profession in the new institute, while the vows remain, the rights and obligations which the member had in
the former institute are suspended; however, the religious is obligated to observe the proper law of the new institute from the beginning of the probationary period. § 2. By profession in the new institute the member is incorporated into it, while the preceding vows, rights and obligations cease.

Can. 686 § 1. With the consent of the council the supreme moderator for a grave reason can grant an indult of exclaustration to a member professed of perpetual vows, but not for more than three years, and with the prior consent of the local ordinary where he must remain if this concerns a cleric. Extending the indult or granting it for more than three years is reserved to the Holy See or, if there is question of institutes of diocesan right, to the diocesan bishop. § 2. It belongs to the Apostolic See alone to grant an indult of exclaustration for nuns. § 3. If a supreme moderator with the consent of the council petitions, exclaustration can be imposed by the Holy See on a member of an institute of pontifical right or by a diocesan bishop on a member of an institute of diocesan right for grave reasons, with equity and charity being observed.

Can. 687 Exclaustrated members are free from obligations which are incompatible with their new condition of life and at the same time remain dependent on and subject to the care of their superiors and also the local ordinary, especially if the member is a cleric. The members may wear the habit of the institute unless ( nisi) it is determined otherwise in the indult. However, they lack active and passive voice.

Can. 688 § 1. Whoever wishes to leave an institute when the time of profession has expired can depart from it. § 2. During the time of temporary profession whoever asks to leave the institute for a grave reason can be granted an indult to leave by the supreme moderator in an institute of pontifical right with the consent of the council; in institutes of diocesan right and in monasteries mentioned in can. 615, the indult, in order to be valid, must be confirmed by the bishop of the house of assignment.

Can. 689 § 1. If just causes are present, when temporary profession has expired a member can be excluded from making a subsequent profession by the competent major superior after listening to the council. § 2. Even if it is contracted after profession, physical or psychic illness which in the judgment of experts renders the member mentioned in § 1 unsuited to lead the life of the institute, constitutes a reason for not admitting such a person to a renewal of profession or to making perpetual profession, unless ( nisi) the
infirmitiy had been incurred through the institute's negligence or through work performed in the institute. § 3. A religious, however, who becomes insane during temporary vows, even though unable to make a new profession, cannot be dismissed from the institute.

**Can. 690 § 1.** A religious who after completing the novitiate or after profession has left the institute legitimately, can be readmitted by the supreme moderator with the consent of the council without the burden of repeating the novitiate; it is up to the same moderator to determine a suitable probationary period before temporary profession and a time in such vows prior to perpetual profession according to the norm of cann. 655 and 657. § 2. With the consent of the council, the superior of an autonomous monastery enjoys this same faculty.

**Can. 691 § 1.** One who is professed in perpetual vows is not to seek an indult to leave the institute without (nisi) very grave reasons weighed before the Lord; such a petition is to be presented to the supreme moderator of the institute, who is to transmit it to the competent authority with a personal opinion and that of the council. § 2. An indult of this kind in institutes of pontifical right is reserved to the Apostolic See; but in institutes of diocesan right the diocesan bishop of the house of assignment can also grant it.

**Can. 692** Unless (nisi) it has been rejected by the member in the act of notification, an indult legitimately granted and made known to the member brings with it, by the law itself, a dispensation from vows and from all obligations arising from profession.

**Can. 693** If the member is a cleric, the indult is not granted before he finds a bishop who will incardinate him into a diocese or at least receive him experimentally. If he is received experimentally, he is incardinated into the diocese by the law itself after five years have passed, unless (nisi) the bishop has refused him.

**Can. 694 § 1.** A member is to be held to be ipso facto dismissed from the institute who: (1) has notoriously abandoned the Catholic faith; (2) has contracted marriage or has attempted it, even only civilly. § 2. In these instances the major superior with the council without any delay and after having collected proofs should issue a declaration of the fact so that the dismissal is established juridically.
**Can.** 695 § 1. A member must be dismissed for the offenses in cann. 1396, 1398 and 1395, unless (nisi) in the delicts mentioned in can. 1395, § 2, the superior judges that dismissal is not entirely necessary and that the correction of the member and the restitution of justice and reparation of scandal can be sufficiently assured in some other way. § 2. In these cases the major superior, having collected proofs about the facts and imputability, is to make known the accusation and the proofs to the member who is about to be dismissed, giving the member the opportunity of self-defense. All the acts, signed by the major superior and a notary, along with the written and signed responses of the member, are to be transmitted to the supreme moderator.

**Can.** 696 § 1. A member can also be dismissed for other causes, provided (dummodo) that they are grave, external, imputable and juridically proven, such as: habitual neglect of the obligations of consecrated life; repeated violations of the sacred bonds; pertinacious disobedience to lawful prescriptions of superiors in a serious matter; grave scandal arising from the culpable behavior of the member; pertinacious upholding or spreading of doctrines condemned by the magisterium of the Church; public adherence to ideologies infected by materialism or atheism; unlawful absence mentioned in can. 665, § 2 lasting six months; other causes of similar seriousness which may be determined by the proper law of the institute. § 2. Even causes of lesser seriousness determined in proper law suffice for the dismissal of a member in temporary vows.

**Can.** 697 In the cases mentioned in can. 696, if the major superior, after having heard the council, believes the process of dismissal is to be begun: (1) the major superior is to collect or complete proofs; (2) the major superior is to warn the member in writing or before two witnesses with an explicit threat of subsequent dismissal unless (nisi) the member reforms, the cause of the dismissal is to be clearly indicated and the member is to be given the full opportunity of self-defense; but if the warning is in vain the superior is to proceed to a second warning, after an intervening time of at least fifteen days; (3) if this warning also has been in vain and the major superior with the council believes that there is sufficient proof of incorrigibility and that the defenses of the member are insufficient, and fifteen days have elapsed since the last warning without any effect, the major superior is to transmit to the supreme moderator all acts, signed by
the major superior and a notary, along with the signed response of the member.

**Can. 698** In all cases mentioned in cann. 695 and 696, the right of a member to communicate with and offer a defense directly to the supreme moderator always remains intact.

**Can. 699 § 1.** With the council, which must have at least four members for validity, the supreme moderator is to proceed collegially to the careful weighing of the proofs, arguments and defenses; if it has been so decided by a secret ballot, the supreme moderator is to issue the decree of dismissal, with the motives in law and in fact expressed at least in summary fashion for validity. § 2. In autonomous monasteries mentioned in can. 615 the decision on dismissal pertains to the diocesan bishop, to whom the superior is to submit the acts examined by the council

**Can. 700** A decree of dismissal does not take effect unless (nisi) it has been confirmed by the Holy See to whom the decree and all the acts are to be transmitted; if it is a question of an institute of diocesan right, the confirmation belongs to the bishop of the diocese where the house to which the religious is assigned is situated. The decree, for validity, must indicate the right which the dismissed religious enjoys to have recourse to competent authority within ten days from receiving the notification. The recourse has a suspensive effect.

**Can. 701** Vows, rights and obligations derived from profession cease ipso facto by legitimate dismissal. However, if the member is a cleric, he cannot exercise sacred orders until he finds a bishop who receives him after a suitable probationary period in the diocese according to can. 693 or at least allows him to exercise sacred orders.

**Can. 702 § 1.** Those who have legitimately left a religious institute or have been legitimately dismissed from one can request nothing from it for any work done in it. § 2. The institute however is to observe equity and evangelical charity toward the member who is separated from it.

**Can. 703** In the case of serious exterior scandal or very grave imminent harm to the institute a member can be immediately expelled from the religious house by the major superior, or, if there is a danger in delay, by the local superior with the consent of the council. If it is necessary the major
superior should see that the process of dismissal is begun according to the norm of law or refer the matter to the Apostolic See.

**Can. 704** The report to be sent to the Apostolic See referred to in can. 592, § 1 is to mention members separated from the institute in any way whatsoever.

**Can. 705** A religious raised to the episcopate remains a member of his own institute but is subject to the Roman Pontiff alone in virtue of his vow of obedience and is not bound by obligations which he himself prudently judges cannot be reconciled with his position.

**Can. 706** As regards the above-mentioned religious: (1) if through profession he has lost the ownership of goods, he has the use of goods which come to him as well as their revenues and administration; however the diocesan bishop and those mentioned in can. 381, § 2 acquire the ownership for the particular church; all others, for the institute or the Holy See depending on whether the institute is capable of ownership or not; (2) if through profession he has not lost the ownership of goods, he regains the use, revenues and administration of the goods which he had; he fully acquires for himself those which come to him afterwards; (3) in either case, however, he must distribute goods coming to him according to the will of the donors when they do not come to him for personal reasons.

**Can. 707** § 1. A retired religious bishop may choose a place to live for himself even outside the houses of his institute unless (nisi) something else has been provided by the Apostolic See. § 2. If he has served a certain diocese, suitable and worthy sustenance is to be his according to can. 402, § 2, unless (nisi) his own institute wishes to provide that sustenance; otherwise the Apostolic See is to provide.

**Can. 708** Major superiors can usefully associate in conferences or councils so that joining forces they can work toward the achievement of the purpose of their individual institutes more fully, always with due regard for their autonomy, character and particular spirit, transact common business and foster suitable coordination and cooperation with conferences of bishops and also with individual bishops.

**Can. 709** Conferences of major superiors are to have their own statutes approved by the Holy See, by which alone they can be erected, even as a juridic person, and under whose supreme governance they remain.
Can. 710 A secular institute is an institute of consecrated life in which the Christian faithful living in the world strive for the perfection of charity and work for the sanctification of the world especially from within.

Can. 711 The consecration of a member of a secular institute does not alter the member's proper canonical condition among the people of God, whether lay or clerical, with due regard for the prescriptions of law affecting institutes of consecrated life.

Can. 712 With due regard for the prescriptions of cann. 598-601, the constitutions are to determine the sacred bonds by which the evangelical counsels are taken in the institute and are to define the obligations flowing from these same bonds, while always preserving, however, in its way of life the distinctive secularity of the institute.

Can. 713 § 1. The members of these institutes express and exercise their own consecration in their apostolic activity and like a leaven they strive to imbue all things with the spirit of the gospel for the strengthening and growth of the Body of Christ. § 2. Lay members share in the Church's evangelizing task in the world and of the world through their witness of a Christian life and fidelity toward their consecration, and through their efforts to order temporal things according to God and inform the world by the power of the gospel. Also, they cooperate in serving the ecclesial community, according to their particular secular way of life. § 3. Clerical members through the witness of their consecrated life, especially in the presbyterate, help their brothers by their special apostolic charity and in their sacred ministry among the people of God they bring about the sanctification of the world.

Can. 714 Members are to lead their life according to the norm of the constitutions, in the ordinary conditions of the world, either alone or each in the respective families, or in a group of brothers or sisters.

Can. 715 § 1. Clerical members incardinated in a diocese depend on the diocesan bishop, with due regard for those things which pertain to consecrated life in their particular institute. § 2. If those who are incardinated in an institute according to the norm of can. 266, § 3, are appointed to particular works of the institute or to the governance of the institute, they depend on the bishop in a way comparable to religious.
Can. 716 § 1. All members are to share actively in the life of the institute according to proper law. § 2. Members of the same institute are to maintain communion among themselves, carefully fostering unity of spirit and genuine relationship as brothers or sisters.

Can. 717 § 1. The constitutions are to prescribe a particular manner of governance and define the time during which moderators hold their office and the way in which they are chosen. § 2. No one is to be chosen supreme moderator who is not definitively incorporated. § 3. Those who are put in charge of the governance of the institute are to take care that the unity of its spirit is kept and that active participation of the members is encouraged.

Can. 718 The administration of the goods of the institute, which should express and foster evangelical poverty, is ruled by the norms of Book V, The Temporal Goods of the Church, and by the proper law of the institute. Likewise the proper law is to define especially the financial obligations of the institute toward members who carry on work for it.

Can. 719 § 1. In order that members may respond faithfully to their vocation and that their apostolic action may proceed from their union with Christ they are to be diligent in prayer, concentrate in a fitting manner on the reading of Sacred Scripture, make an annual retreat and carry out other spiritual exercises according to proper law. § 2. The celebration of the Eucharist, daily if possible, is to be the source and strength of the whole of their consecrated life. § 3. They are freely to approach the sacrament of penance, which they should receive frequently. § 4. They are freely to obtain necessary guidance of conscience and should seek counsel of this kind even from their moderators, if they wish.

Can. 720 The right of admission into the institute, whether for probation or for the assumption of sacred bonds, whether temporary or perpetual or definitive, pertains to the major moderators with their council according to the norm of the constitutions.

Can. 721 § 1. On is invalidly admitted to the initial probation: (1) who has not yet reached the age of majority; (2) who is still bound by a sacred bond in some institute of consecrated life or who is incorporated in a society of apostolic life; (3) who is married while the marriage lasts. § 2. The constitutions can establish other impediments, even for the validity of
admission, or place certain conditions. § 3. Moreover, for one to be received it is necessary to have the maturity to lead the life proper to the institute.

**Can.** 722 § 1. The initial probation is to be so arranged that the candidates may understand more fittingly their divine vocation and indeed the vocation proper to the institute and may be trained in the spirit and way of life of the institute. § 2. The candidates are to be properly formed in living according to the evangelical counsels and taught to translate this life completely into the apostolate, using those forms of spreading the gospel which better respond to the purpose, spirit and character of the institute. § 3. The manner and time of this probation before first undertaking sacred bonds in the institute are to be defined in the constitutions; yet it is to be no less than two years.

**Can.** 723 § 1. After the time of the initial probation has passed, the candidate who is judged worthy is either to take on the three evangelical counsels strengthened by a sacred bond or to depart from the institute. § 2. This first incorporation, no shorter than five years, is to be temporary according to the norm of the constitutions. § 3. When the time of this incorporation has passed, the member who is judged worthy is to be admitted to perpetual or definitive incorporation, that is, with temporary bonds always to be renewed. § 4. Definitive incorporation is equivalent to perpetual incorporation as far as certain juridic effects are concerned, to be determined in the constitutions.

**Can.** 724 § 1. After the sacred bonds are first taken formation is to be continued according to the constitutions. § 2. Members are to be formed in divine and human matters equally; the moderators of the institute are to take seriously the continuing spiritual formation of members.

**Can.** 725 The institute can associate to itself, by some bond determined in the constitutions, other members of the Christian faithful who strive toward evangelical perfection according to the spirit of the institute and share its mission.

**Can.** 726 § 1. When the time of temporary incorporation has elapsed, the member can leave the institute freely or be excluded from renewal of the sacred bonds for a just cause by the major moderator after hearing the council. § 2. For a serious reason the temporarily incorporated member can
freely petition and obtain from the supreme moderator with the consent of the council an indult to leave.

**Can. 727 § 1.** The perpetually incorporated member who wishes to leave the institute, having thought seriously about this before God, may seek an indult to leave from the Apostolic See through the supreme moderator if it is an institute of pontifical right; otherwise from the diocesan bishop as it is defined in the constitutions. § 2. If it is a question of a cleric incardinated in the institute, the prescription of can. 693 is to be observed.

**Can. 728** When the indult to leave has been legitimately granted, all bonds, rights and obligations emanating from incorporation cease.

**Can. 729** A member is dismissed from the institute according to the norm established in cann. 694 and 695; furthermore, the constitutions may determine other causes of dismissal, provided (dummodo) they are proportionately serious, external, imputable, and juridically proven and the procedure determined in cann. 697-700 shall be observed. The prescription of can. 701 applies to the dismissed member.

**Can. 730** In order that a member of a secular institute may transfer to another secular institute, the prescriptions of cann. 684, § 1, 2, and 4 and 685 are to be observed. In order that a transfer be made to a religious institute or to a society of apostolic life or from these to a secular institute, the permission of the Apostolic See is required and its mandates are to be obeyed.

**Sectio II**

**Can. 731 § 1.** Comparable to institutes of consecrated life are societies of apostolic life whose members without religious vows pursue the particular apostolic purpose of the society, and leading a life as brothers or sisters in common according to a particular manner of life, strive for the perfection of charity through the observance of the constitutions. § 2. Among these there are societies in which the members embrace the evangelical counsels by some bond defined in the constitutions.

**Can. 732** Whatever is determined in cann. 578-597 and 606 is applicable to societies of apostolic life, with due regard for the nature of each society; in addition, cann. 598-602 are applicable to the societies mentioned in can. 731, § 2. **Can. 733 § 1.** A house is erected and a local community is
established by the competent authority of the society with the prior written consent of the diocesan bishop, who must also be consulted for its suppression. § 2. Consent to erect a house entails the right of having at least an oratory in which the Most Holy Eucharist is celebrated and reserved.

Can. 734 The governance of a society is determined by the constitutions, with due regard for cann. 617-633, according to the nature of each society.

Can. 735 § 1. The admission, probation, incorporation and training of members are determined by the proper law of each society. § 2. In respect to admission into the society, the conditions established in cann. 642-645 are to be observed. § 3. Proper law must determine especially the doctrinal, spiritual and apostolic method of probation and training suited to the purpose and character of the society, in such a way that the members, recognizing their divine vocation, may be fittingly prepared for the mission and life of the society.

Can. 736 § 1. In clerical societies the clerics are incardinated in the society itself, unless (nisi) the constitutions provide otherwise. § 2. In those matters which pertain to the course of studies and the reception of orders the norms for secular clerics are to be observed with due regard however for § 1. Can. 737 Incorporation entails obligations and rights for the members defined in the constitutions as well as a concern on the part of the society to lead the members to the end of their particular vocation, according to the constitutions.

Can. 738 § 1. All the members are subject to their particular moderators according to the norm of the constitutions in those matters which affect the internal life and discipline of the society. § 2. They are subject also to the diocesan bishop in those matters which affect public worship, the care of souls and other works of the apostolate, with due regard for cann. 679-683. § 3. The relations of a member incardinated in a diocese with his proper bishop are defined by the constitutions or particular agreements.

Can. 739 Besides the obligations which they have as members according to the constitutions the members are bound by the common obligations of clerics, unless (nisi) something else is evident from the nature of the matter or from the context.
Can. 740 Members must live in a house or community legitimately established and observe common life according to the norm of proper law, by which absences from a house or community are also governed.

Can. 741 § 1. Societies and, unless (nisi) the constitutions state otherwise, their parts and houses are juridic persons, and, as such, capable of acquiring, possessing, administering and alienating temporal goods according to the norm of the prescriptions of Book V, The Temporal Goods of the Church, cann. 636, 638 and 639 and the norm of proper law. § 2. According to the norm of proper law the members are also capable of acquiring, possessing, administering and disposing of temporal goods, but whatever comes to them in consideration of the society belongs to the society.

Can. 742 The departure and dismissal of a member not yet definitively incorporated is governed by the constitutions of each society.

Can. 743 A member definitively incorporated can obtain an indult of departure from the society from the supreme moderator with the consent of the council, unless (nisi) it is reserved to the Holy See by the constitutions; the rights and obligations flowing from incorporation cease, with due regard for the prescription of can. 693.

Can. 744 § 1. It is reserved to the supreme moderator also with the consent of the council to grant permission to a member definitively incorporated to transfer to another society of apostolic life; in the meantime the rights and obligations associated with the prior society are suspended, and the member has the right to return before definitive incorporation into the new society. § 2. In order to transfer to an institute of consecrated life or from that to a society of apostolic life, the permission of the Holy See is required and its mandates must be observed.

Can. 745 The supreme moderator with the consent of the council can grant to a definitively incorporated member an indult of living outside the society, not however beyond three years, with the rights and obligations which are not suitable for the new condition being suspended; the member remains however under the care of the moderators. If it is a question of a cleric there is required in addition the permission of the ordinary of the place in which he must dwell, under whose care and dependency he also remains.
**Can. 746** For the dismissal of a member definitively incorporated, cann. 694-704 are to be observed with due adaptations being made.

**BOOK III THE TEACHING OFFICE OF THE CHURCH**

**Can. 747** § 1. The Church, to whom Christ the Lord entrusted the deposit of faith so that, assisted by the Holy Spirit, it might reverently safeguard revealed truth, more closely examine it and faithfully proclaim and expound it, has the innate duty and right to preach to gospel to all nations, independent of any human power whatever, using the means of social communication proper to it. § 2. To the Church belongs the right always and everywhere to announce moral principles, including those pertaining to the social order, and to make judgments on any human affairs to the extent that they are required by the fundamental rights of the human person or the salvation of souls.

**Can. 748** § 1. All persons are bound to seek the truth in matters concerning God and God's Church; by divine law they also are obliged and have the right to embrace and to observe that truth which they have recognized. § 2. Persons cannot ever be forced by anyone to embrace the Catholic faith against their conscience.

**Can. 749** § 1. The Supreme Pontiff, in virtue of his office, possesses infallible teaching authority when, as supreme pastor and teacher of all the faithful, whose task is to confirm his fellow believers in the faith, he proclaims with a definitive act that a doctrine of faith or morals is to be held as such. § 2. The college of bishops also possesses infallible teaching authority when the bishops exercise their teaching office gathered together in an ecumenical council when, as teachers and judges of faith and morals, they declare that for the universal Church a doctrine of faith or morals must be definitively held; they also exercise it scattered throughout the world but united in a bond of communion among themselves and with the successor of Peter when together with that same Roman Pontiff in their capacity as authentic teachers of faith and morals they agree on an opinion to be held as definitive. § 3. No doctrine is understood to be infallibly defined unless ( nisi) it is clearly established as such.

**Can. 750** All that is contained in the written word of God or in tradition, that is, in the one deposit of faith entrusted to the Church and also proposed as divinely revealed either by the solemn magisterium of the Church or by btcajx
its ordinary and universal magisterium, must be believed with divine and
catholic faith; it is manifested by the common adherence of the Christian
faithful under the leadership of the sacred magisterium; therefore, all are
bound to avoid any doctrines whatever which are contrary to these truths.

**Can. 751** Heresy is the obstinate post-baptismal denial of some truth
which must be believed with divine and catholic faith, or it is likewise an
obstinate doubt concerning the same; apostasy is the total repudiation of
the Christian faith; schism is the refusal of submission to the Roman Pontiff
or of communion with the members of the Church subject to him.

**Can. 752** A religious respect of intellect and will, even if not the assent of
faith, is to be paid to the teaching which the Supreme Pontiff or the college
of bishops enunciate on faith or morals when they exercise the authentic
magisterium even if they do not intend to proclaim it with a definitive act;
therefore the Christian faithful are to take care to avoid whatever is not in
harmony with that teaching.

**Can. 753** Although they do not enjoy infallible teaching authority, the
bishops in communion with the head and members of the college, whether
as individuals or gathered in conferences of bishops or in particular councils,
are authentic teachers and instructors of the faith for the faithful entrusted
to their care; the faithful must adhere to the authentic teaching of their own
bishops with a religious assent of soul.

**Can. 754** All the Christian faithful are obliged to observe the constitutions
and decrees which the legitimate authority of the Church issues in order to
propose doctrine and proscribe erroneous opinions; this is especially true of
the constitutions and decrees issued by the Roman Pontiff or the college of
bishops.

**Can. 755 § 1.** It is within the special competence of the entire college of
bishops and of the Apostolic See to promote and direct the participation of
Catholics in the ecumenical movement, whose purpose is the restoration of
unity among all Christians, which the Church is bound by the will of Christ to
promote. **§ 2.** It is likewise within the competence of bishops and, in accord
with the norm of law, of conferences of bishops to promote the same unity
and to issue practical norms for the needs and opportunities presented by
diverse circumstances in light of the prescriptions of the supreme church
authority.
Can. 756 § 1. As regards the universal Church the duty of proclaiming the gospel has been especially entrusted to the Roman Pontiff and to the college of bishops. § 2. As regards the particular church entrusted to them the individual bishops exercise this responsibility since within it they are the moderators of the entire ministry of the word; sometimes, several bishops simultaneously fulfill this office jointly for various churches at once in accord with the norm of law.

Can. 757 It is proper for presbyters who are co-workers with the bishops to proclaim the gospel of God; pastors (parochus) and others entrusted with the care of souls are especially bound to this office as regards the people entrusted to them; deacons also are to serve the people of God in the ministry of the word in communion with the bishop and his presbyterate.

Can. 758 In virtue of their consecration to God, members of institutes of consecrated life give testimony to the gospel in a special manner, and they are appropriately enlisted by the bishop to assist in proclaiming the gospel.

Can. 759 In virtue of their baptism and confirmation lay members of the Christian faithful are witnesses to the gospel message by word and by example of a Christian life; they can also be called upon to cooperate with the bishop and presbyters in the exercise of the ministry of the word.

Can. 760 The mystery of Christ is to be expounded completely and faithfully in the ministry of the word, which ought to be based upon sacred scripture, tradition, liturgy, the magisterium and the life of the Church.

Can. 761 The various means which are available are to be employed to proclaim Christian teaching, especially preaching and catechetical formation, which always hold the primary place; other means to be employed, however, are the exposition of doctrine in schools, academies, conferences and meetings of every type, and its spreading by means of public declarations by legitimate authority made on the occasion of certain events, by the press, and by the other instruments of social communication.

Can. 762 Since the people of God are first brought together by the word of the living God, which it is altogether proper to require from the mouth of priests, sacred ministers are to value greatly the task of preaching since among their principal duties is the proclaiming of the gospel of God to all.
**Can.** 763 It is the right of bishops to preach the word of God everywhere, including the churches and oratories of religious institutes of pontifical right, unless ( nisi) the local bishop has expressly refused this in particular cases.

**Can.** 764 With due regard for the prescription of can. 765, presbyters and deacons possess the faculty to preach everywhere, to be exercised with at least the presumed consent of the rector of the church, unless ( nisi) that faculty has been restricted or taken away by the competent ordinary or unless express permission is required by particular law.

**Can.** 765 Preaching to religious in their churches or oratories requires the permission of the superior who is competent in accord with the norm of the constitutions.

**Can.** 766 Lay persons can be admitted to preach in a church or oratory if it is necessary in certain circumstances or if it is useful in particular cases according to the prescriptions of the conference of bishops and with due regard for can. 767, § 1. Can. 767 § 1. Among the forms of preaching the homily is preeminent; it is a part of the liturgy itself and is reserved to a priest or to a deacon; in the homily the mysteries of faith and the norms of Christian living are to be expounded from the sacred text throughout the course of the liturgical year. § 2. Whenever a congregation is present a homily is to be given at all Sunday Masses and at Masses celebrated on holy days of obligation; it cannot be omitted without a serious reason. § 3. If a sufficient number of people are present it is strongly recommended that a homily also be given at Masses celebrated during the week, especially during Advent or Lent or on the occasion of some feast day or time of mourning. § 4. It is the duty of the pastor (parochus) or the rector of a church to see to it that these prescriptions are conscientiously observed.

**Can.** 768 § 1. It is necessary that those who proclaim the word of God to the Christian faithful are first of all to propose those things which one ought to believe and do for the glory of God and for the salvation of humankind. § 2. They are also to impart to the faithful the teaching which the magisterium of the Church proposes concerning the dignity and freedom of the human person, the unity and stability of the family and its duties, the obligations which men and woman have from being joined together in society, and the ordering of temporal affairs according to God's plan.
Can. 769 Christian doctrine is to be proposed in a manner accommodated to the condition of its listeners and adapted to the needs of the times.

Can. 770 At certain times according to the prescriptions of the diocesan bishop, pastors (parochus) are to arrange for those types of preaching which are called spiritual exercises or sacred missions or for other types of preaching adapted to their needs.

Can. 771 § 1. Pastors of souls, especially bishops and pastors (parochus), are to take care that the word of God is proclaimed also to those members of the faithful who do not enjoy sufficiently or who lack completely common and ordinary pastoral care due to their condition of life. § 2. They are also to make provision for the message of the gospel to come to non-believers who live in their territory, since the care of souls must embrace them as well as the faithful.

Can. 772 § 1. The norms issued by the diocesan bishop concerning the exercise of preaching are to be observed by all. § 2. The prescriptions of the conference of bishops are to be observed in giving radio or television talks on Christian doctrine.

Can. 773 There is a proper and serious duty, especially on the part of pastors of souls, to provide for the catechesis of the Christian people so that the faith of the faithful becomes living, explicit and productive through formation in doctrine and the experience of Christian living.

Can. 774 § 1. Under the supervision of legitimate ecclesiastical authority this concern for catechesis pertains to all the members of the Church in proportion to each one's role. § 2. Parents above others are obliged to form their children in the faith and practice of the Christian life by word and example; godparents and those who take the place of parents are bound by an equivalent obligation.

Can. 775 § 1. While observing the prescriptions of the Apostolic See it is the responsibility of the diocesan bishop to issue norms concerning catechetics and to make provision that suitable instruments for catechesis are available, even by preparing a catechism, if such seems appropriate, and by fostering and coordinating catechetical endeavors. § 2. It is within the competence of the conference of bishops, with the prior approval of the Apostolic See, to see to it that catechisms are issued for its territory if such seems useful. § 3. There can be established within the conference of bishops
a catechetical office whose principal task would be to furnish assistance to the individual dioceses in catechetical matters.

**Can. 776** In virtue of his office the pastor (parochus) is bound to provide for the catechetical formation of adults, young people and children, to which end he is to employ the services of the clerics attached to the parish, members of institutes of consecrated life and of societies of apostolic life, with due regard for the character of each institute, and lay members of the Christian faithful, above all catechists; all of these are not to refuse to furnish their services willingly unless (nisi) they are legitimately impeded. The pastor is to promote and foster the role of parents in the family catechesis mentioned in can. 774, § 2. Can. 777 In accord with the norms established by the diocesan bishop, the pastor (parochus) is to make particular provision: (1) that suitable catechesis is given for the celebration of the sacraments; (2) that children are properly prepared for the first reception of the sacraments of penance and Most Holy Eucharist and the sacrament of confirmation by means of a catechetical formation given over an appropriate period of time; (3) that children are more fruitfully and deeply instructed through catechetical formation after the reception of First Communion; (4) that catechetical formation also be given to those handicapped in body or mind insofar as their condition permits; (5) that the faith of young people and adults be fortified, enlightened and developed through various means and endeavors.

**Can. 778** Superiors of religious institutes and of societies of apostolic life are to see to it that catechetical formation is diligently imparted in their churches, schools and in other works entrusted to them in any manner.

**Can. 779** Catechetical formation is to be given by employing all those helps, teaching aids and instruments of social communication which appear to be more effective in enabling the faithful in light of their characteristics, talents, age and conditions of life, to learn the Catholic teaching more fully and practice it more suitably.

**Can. 780** Local ordinaries are to see to it that catechists are duly prepared to fulfill their task correctly, namely, that continuing formation is made available to them, that they acquire a proper knowledge of the Church’s teaching, and that they learn in theory and in practice the norms proper to the pedagogical disciplines.
**Can. 781** Since the entire Church is missionary by its nature and since the work of evangelization is to be viewed as a fundamental duty of the people of God, all the Christian faithful, conscious of their own responsibility in this area, are to assume their own role in missionary work.

**Can. 782 § 1.** The supreme direction and coordination of endeavors and activities which deal with missionary work and missionary cooperation belong to the Roman Pontiff and the college of bishops. § 2. Since they are the sponsors for the universal Church and for all the churches, individual bishops are to have a special concern for missionary work especially by initiating, fostering and sustaining missionary endeavors in their own particular church.

**Can. 783** Since members of institutes of consecrated life dedicate themselves through their consecration to the service of the Church they are obliged in a special manner to engage in missionary work in accord with the character of the institute.

**Can. 784** Missionaries are those persons who are sent to engage in missionary work by competent ecclesiastical authority; they can be chosen from among those who are native or non-native to the country; they may be secular clerics, members of institutes of consecrated life or of societies of apostolic life, or other lay members of the Christian faithful.

**Can. 785 § 1.** Catechists are to be employed in carrying out missionary work; catechists are those lay members of the Christian faithful who have been duly instructed, who stand out by reason of their Christian manner of life, and who devote themselves to expounding the gospel teaching and organizing liturgical functions and works of charity under the supervision of a missionary. § 2. Catechists are to be educated in schools destined for this purpose or, where such schools are lacking, under the supervision of missionaries.

**Can. 786** Missionary activity, properly so-called, by which the Church is implanted among peoples and groups in which it has not yet taken root, is accomplished by the Church especially by sending heralds of the gospel until the young churches are fully established to the point that they are able to perform the work of evangelization on their own with their own resources and sufficient means.
**Can.** 787 § 1. By the witness of their life and words missionaries are to establish a sincere dialogue with those who do not believe in Christ in order that through methods suited to their characteristics and culture avenues may be open to them by which they can be led to an understanding of the gospel message. § 2. Missionaries are to see to it that they teach the truths of faith to those whom they judge to be ready to accept the gospel message so that these persons can be admitted to the reception of baptism when they freely request it.

**Can.** 788 § 1. After a period of pre-catechumenate has elapsed, persons who have manifested a willingness to embrace faith in Christ are to be admitted to the catechumenate in liturgical ceremonies and their names are to be registered in a book destined for this purpose. § 2. Through instruction and an apprenticeship in the Christian life catechumens are suitably to be initiated into the mystery of salvation and introduced to the life of faith, liturgy, charity of the people of God and the apostolate. § 3. It is the responsibility of the conference of bishops to issue statutes by which the catechumenate is regulated; these statutes are to determine what things are to be expected of catechumens and define what prerogatives are recognized as theirs.

**Can.** 789 Through a suitable instruction neophytes are to be formed to a more thorough understanding of the gospel truth and the baptismal duties to be fulfilled; they are to be imbued with a love of Christ and of His Church.

**Can.** 790 § 1. It is the responsibility of the diocesan bishop in missionary territories: (1) to promote, supervise and coordinate endeavors and works which concern missionary activity; (2) to provide that the necessary contracts are entered into with the moderators of institutes which dedicate themselves to missionary work and that relations with them redound to the good of the mission. § 2. All missionaries living in his jurisdiction, including religious and their assistants, are subject to the prescriptions issued by the diocesan bishop mentioned in § 1, n. 1.

**Can.** 791 To foster missionary cooperation in the individual dioceses: (1) missionary vocations are to be promoted; (2) a priest is to be appointed to promote effectively endeavors on behalf of the missions, especially the Pontifical Missionary Works; (3) an annual missions' day is to be observed; (4) every year a suitable monetary contribution for the missions is to be forwarded to the Holy See.
Can. 792 The conferences of bishops are to establish and promote works through which persons who come to their territory from missionary lands for the sake of work or study may be received like family and assisted with adequate pastoral care.

Can. 793 § 1. Parents as well as those who take their place are obliged and enjoy the right to educate their offspring; Catholic parents also have the duty and the right to select those means and institutions through which they can provide more suitably for the Catholic education of the children according to local circumstances. § 2. Parents also have the right to make use of those aids to be furnished by civil society which they need in order to obtain Catholic education for their children.

Can. 794 § 1. The duty and right of educating belongs in a unique way to the Church which has been divinely entrusted with the mission to assist men and women so that they can arrive at the fullness of the Christian life. § 2. Pastors of souls have the duty to arrange all things so that all the faithful may enjoy a Catholic education.

Can. 795 Since a true education must strive for the integral formation of the human person, a formation which looks toward the person's final end, and at the same time toward the common good of societies, children and young people are to be so reared that they can develop harmoniously their physical, moral and intellectual talents, that they acquire a more perfect sense of responsibility and a correct use of freedom, and that they be educated for active participation in social life.

Can. 796 § 1. Among educational means the Christian faithful should greatly value schools, which are of principal assistance to parents in fulfilling their educational task. § 2. It is incumbent upon parents to cooperate closely with the school teachers to whom they entrust their children to be educated; in fulfilling their duty teachers are to collaborate closely with parents who are to be willingly heard and for whom associations or meetings are to be inaugurated and held in great esteem.

Can. 797 It is necessary that parents enjoy true freedom in selecting schools; the Christian faithful must therefore be concerned that civil society acknowledge this freedom for parents and also safeguard it with its resources in accord with distributive justice.
Can. 798 Parents are to entrust their children to those schools in which Catholic education is provided; but if they are unable to do this, they are bound to provide for their suitable Catholic education outside the schools.

Can. 799 The Christian faithful are to strive so that in civil society the laws which regulate the formation of youth provide also for their religious and moral education in the schools themselves in accord with the conscience of the parents.

Can. 800 § 1. The Church has the right to establish and supervise schools of any discipline, type and grade whatsoever. § 2. The Christian faithful are to foster Catholic schools by supporting their establishment and their maintenance in proportion to their resources.

Can. 801 Religious institutes whose proper mission is that of education, while faithfully retaining this mission of theirs, are also to devote themselves to Catholic education through their schools established with the consent of the diocesan bishop.

Can. 802 § 1. If schools imparting an education imbued with the Christian spirit are not available the diocesan bishop is to see to it that they are established. § 2. The diocesan bishop is to provide for the establishment of professional schools, technical schools and other schools required by special needs whenever such would be advantageous.

Can. 803 § 1. That school is considered to be Catholic which ecclesiastical authority or a public ecclesiastical juridic person supervises or which ecclesiastical authority recognizes as such by means of a written document. § 2. It is necessary that the formation and education given in a Catholic school be based upon the principles of Catholic doctrine; teachers are to be outstanding for their correct doctrine and integrity of life. § 3. Even if it really be Catholic, no school may bear the title "Catholic school" without (nisi) the consent of the competent ecclesiastical authority.

Can. 804 § 1. Catholic religious formation and education which are imparted in any schools whatsoever as well as that acquired through the various media of social communications are subject to the authority of the Church; it is the responsibility of the conference of bishops to issue general norms in this area, and it is the responsibility of the diocesan bishop to regulate such education and be vigilant over it. § 2. The local ordinary is to be concerned that those who are assigned as religion teachers in schools,
even in non-Catholic ones, be outstanding for their correct doctrine, their
witness of Christian living and their pedagogical skill.

**Can. 805** For his own diocese the local ordinary has the right to name or
approve teachers of religion and likewise to remove or to demand that they
be removed if it is required for reasons of religion or morals.

**Can. 806** § 1. The diocesan bishop has the right of vigilance over the
visitation of the Catholic schools located in his territory, even those schools
which have been established or are being directed by members of religious
institutes; he is likewise competent to issue prescriptions dealing with the
general regulation of Catholic schools; such prescriptions are also operative
for those schools which are directed by religious, with due regard for their
autonomy regarding the internal management of their schools. § 2. The
directors of Catholic schools, under the vigilance of the local ordinary, are to
see to it that the instruction given in them is at least as academically
distinguished as that given in the other schools of the region.

**Can. 807** The Church has the right to erect and to supervise universities
which contribute to a higher level of human culture, to a fuller advancement
of the human person and also to the fulfillment of the Church's teaching
office.

**Can. 808** Even if it really be Catholic, no university may bear the title or
name "Catholic university" without (nisi) the consent of the competent
ecclesiastical authority.

**Can. 809** If it is possible and advantageous the conferences of bishops are
to see to it that universities or at least faculties are established, suitably
distributed throughout their territory, in which the various disciplines are to
be investigated and taught with due regard for their academic autonomy,
and with due consideration for Catholic doctrine.

**Can. 810** § 1. It is the responsibility of the authority who is competent in
accord with the statutes to provide for the appointment of teachers to
Catholic universities who besides their scientific and pedagogical suitability
are also outstanding in their integrity of doctrine and probity of life; when
those requisite qualities are lacking they are to be removed from their
positions in accord with the procedure set forth in the statutes. § 2. The
conference of bishops and the diocesan bishops concerned have the duty
and right of being vigilant that in these universities the principles of Catholic doctrine are faithfully observed.

**Can. 811** § 1. The competent ecclesiastical authority is to provide that at Catholic universities there be erected a faculty of theology, an institute of theology, or at least a chair of theology so that classes may be given for lay students. § 2. In the individual Catholic universities classes should be given which treat in a special way those theological questions which are connected with the disciplines of their faculties.

**Can. 812** It is necessary that those who teach theological disciplines in any institute of higher studies have a mandate from the competent ecclesiastical authority.

**Can. 813** The diocesan bishop is to have serious pastoral concern for students by erecting a parish for them or by assigning priests for this purpose on a stable basis; he is also to provide for Catholic university centers at universities, even non-Catholic ones, to give assistance, especially spiritual to young people.

**Can. 814** The prescriptions established for universities are equally applicable to other institutes of higher studies.

**Can. 815** Ecclesiastical universities or faculties are proper to the Church in virtue of its duty to announce revealed truth; they serve to investigate the sacred disciplines or those disciplines related to the sacred, and to instruct students scientifically in those same disciplines.

**Can. 816** § 1. Ecclesiastical universities and faculties can be established only through erection by the Holy See or through its approval; the Holy See also has a supervisory role with respect to them. § 2. Individual ecclesiastical universities and faculties must have their statutes and plan of studies approved by the Apostolic See.

**Can. 817** No university or faculty which has not been erected or approved by the Apostolic See can grant academic degrees which have canonical effects in the Church.

**Can. 818** The prescriptions for Catholic universities specified in cann. 810, 812 and 813 are also applicable to ecclesiastical universities and faculties.
**Can.** 819 Insofar as the good of a diocese, a religious institute or indeed the universal Church itself requires it, diocesan bishops or the competent superiors of institutes must send to ecclesiastical universities or faculties young people, clerics and members who are outstanding for their character, virtue and talent.

**Can.** 820 The directors and professors of ecclesiastical universities and faculties are to see to it that the various faculties of such universities mutually assist one another insofar as their objectives permit this; they are also to see to it that mutual cooperation exists between their own university or faculty and other universities and faculties, even non-ecclesiastical ones; through their combined efforts, meetings, coordinated scientific research and other means, they are to work together for the greater advance of the sciences.

**Can.** 821 The conference of bishops and the diocesan bishop are to provide, wherever possible, for the establishment of higher institutes for the religious sciences, namely institutes in which the theological disciplines and other disciplines pertaining to Christian culture are taught.

**Can.** 822 § 1. The pastors of the Church, employing a right which belongs to the Church in fulfilling its responsibility, are to endeavor to make use of the instruments of social communication. § 2. These same pastors are to see to it that the faithful are taught that they are bound in duty to cooperate so that the use of the instruments of social communication is animated with a human and Christian spirit. § 3. All the Christian faithful are to be concerned about furnishing assistance in this pastoral activity in such a way that the Church effectively fulfills its responsibility through such instruments; this is especially true for those who in any way have a role in the regulation or use of these instruments.

**Can.** 823 § 1. In order for the integrity of the truths of the faith and morals to be preserved, the pastors of the Church have the duty and the right to be vigilant lest harm be done to the faith or morals of the Christian faithful through writings or the use of the instruments of social communication; they likewise have the duty and the right to demand that writings to be published by the Christian faithful which touch upon faith or morals be submitted to their judgment; they also have the duty and right to denounce writings which harm correct faith or good morals. § 2. The bishops as individuals or gathered in particular councils or conferences of bishops
have the duty and the right mentioned in § 1 with regard to the Christian faithful committed to their care; the supreme authority of the Church has this duty and right in regard to the whole people of God.

Can. 824 § 1. Unless ( nisi) otherwise established, the local ordinary whose permission or approval to publish books is to be sought according to the canons of this title is the proper local ordinary of the author or the ordinary of the place in which the books are published. § 2. Unless ( nisi) otherwise evident, the prescriptions of the canons of this title concerning books are to be applied to any writings whatsoever which are destined for public distribution.

Can. 825 § 1. Books of the Sacred Scriptures cannot be published unless ( nisi) they have been approved either by the Apostolic See or by the conference of bishops; for their vernacular translations to be published it is required that they likewise be approved by the same authority and also annotated with necessary and sufficient explanations. § 2. With the permission of the conference of bishops Catholic members of the Christian faithful can collaborate with separated brothers and sisters in preparing and publishing translations of the Sacred Scriptures annotated with appropriate explanations.

Can. 826 § 1. The prescriptions of can. 838 are to be observed concerning liturgical books. § 2. For the reprinting in whole or in part of liturgical books as well as their vernacular translation, the ordinary of the place in which they are published must attest that they correspond with the approved edition. § 3. Prayer books for the public or private use of the faithful may not be published without ( nisi) the permission of the local ordinary.

Can. 827 § 1. With due regard for the prescriptions of can. 775, § 2, catechisms and other writings dealing with catechetical formation or their translations need the approval of the local ordinary for their publication. § 2. Books which treat questions of sacred scripture, theology, canon law, church history or which deal with religious or moral disciplines cannot be employed as the textbooks on which instruction is based in elementary, middle or higher schools unless ( nisi) they were published with the approval of the competent ecclesiastical authority or subsequently approved by it. § 3. It is recommended that books which deal with the matters mentioned in § 2 be submitted to the judgment of the local ordinary even if they are not employed as textbooks for teaching; the same is true for writings in which
something is found to be of special concern to religion or to good moral behavior. § 4. Books and other writings which treat of questions of religion or morals cannot be exhibited, sold, or distributed in churches or oratories unless ( nisi) they were published with the permission of the competent ecclesiastical authority or they were subsequently approved by it.

**Can.** 828 It is unlawful to reprint collections of decrees or acts issued by some ecclesiastical authority unless ( nisi) prior permission of this same authority has been obtained and its conditions observed.

**Can.** 829 The approval or permission to publish some work applies to its original text, but not to new editions or translations of it.

**Can.** 830 § 1. The conference of bishops can compile a list of censors known for their knowledge, correct doctrine and prudence who could aid diocesan curias, or it can establish a commission of censors which local ordinaries can consult; however, the right of each local ordinary to entrust the judging of books to persons approved by him still remains intact. § 2. In undertaking the office, the censor, laying aside any respect for persons, is to consider only the teaching of the Church concerning faith and morals as it is proposed by the ecclesiastical magisterium. § 3. The censor's opinion must be given in writing; if it is favorable, the ordinary, in his own prudent judgment, is to grant the permission to publish, giving his own name and the time and place of the granting of the permission; if, however, he does not grant the permission, the ordinary is to communicate the reasons for his refusal to the author of the work.

**Can.** 831 § 1. Without ( nisi) a just a reasonable cause the Christian faithful are not to write anything for newspapers, magazines or periodicals which are accustomed to attack openly the Catholic religion or good morals; clerics and members of religious institutes are to do so only with the permission of the local ordinary. § 2. It is the responsibility of the conference of bishops to establish norms concerning the requirements for clerics and members of religious institutes to take part in radio or television programs which deal with questions concerning Catholic teaching or morals.

**Can.** 832 In order for members of religious institutes to publish writings dealing with questions of religion or morals they also need the permission of their major superior in accord with the norm of their constitutions.
Can. 833 The following persons are obliged to make a profession of faith personally in accord with a formula approved by the Apostolic See: (1) in the presence of its president or his delegate, all persons who take part with either a deliberative or consultative vote in an ecumenical or particular council, in a synod of bishops, or in a diocesan synod; the president takes it in the presence of the council or synod; (2) those promoted to the cardinalatial dignity, in accord with the statutes of the sacred college; (3) in the presence of one delegated by the Apostolic See, all persons promoted to the episcopacy and those who are equivalent to a diocesan bishop; (4) in the presence of the college of consultors, a diocesan administrator; (5) in the presence of the diocesan bishop or his delegate, vicars general, episcopal vicars and vicars judicial; (6) in the presence of the local ordinary or his delegate and at the beginning of their term of office, pastors (parochus), the rector of a seminary, and the professors of theology and philosophy in seminaries; (7) in the presence of the grand chancellor or, in his absence, in the presence of the local ordinary, or in the presence of their delegates, the rector of an ecclesiastical or Catholic university at the beginning of the rector's term of office; in the presence of the rector, if the rector is a priest, or the local ordinary, or their delegates and at the beginning of their term of office, teachers in any universities whatsoever who teach disciplines which deal with faith or morals; (8) the superiors in clerical religious institutes and societies of apostolic life in accord with the norm of the constitutions.

BOOK IV THE SACRAMENTS, EXCLUDING MATRIMONY

Can. 834 § 1. The Church fulfills its office of sanctifying in a special way in the sacred liturgy, which is indeed the exercise of the priestly office of Jesus Christ; in it through sensible signs the sanctification of humankind is signified and effected in a manner proper to each of the signs and the whole of the public worship of God is carried on by the mystical Body of Jesus Christ, that is, by the Head and the members. § 2. This worship takes place when it is carried out in the name of the Church by persons lawfully deputed and through acts approved by the authority of the Church.

Can. 835 § 1. First and foremost, the bishops exercise the office of sanctifying; they are high priests, principal dispensers of the mysteries of God and moderators, promoters and custodians of the whole liturgical life of the church committed to them. § 2. The presbyters also exercise this office, they are in fact sharers of the priesthood of Christ Himself so that they are
consecrated as his ministers under the authority of the bishop to celebrate
divine worship and sanctify the people. § 3. Deacons have a part in
celebration of the divine worship in accord with the prescriptions of the law.
§ 4. The rest of the Christian faithful by active participation in celebrations of
liturgy especially in the Eucharist in their own way also have their own part
in the office of sanctification; parents share in the office of sanctification in a
particular way by leading a conjugal life in the Christian spirit and by seeing
to Christian education of their children.

Can. 836 Since Christian worship, in which the common priesthood of the
Christian faithful is exercised, is a work which proceeds from faith and is
based on it, sacred ministers are to strive diligently to arouse and enlighten
that faith, especially through the ministry of the word by which faith is born
and nourished.

Can. 837 § 1. Liturgical actions are not private actions but celebrations of
the Church itself, which is "the sacrament of unity," namely, a holy people
assembled and ordered under the bishops; therefore liturgical actions
pertain to the whole body of the Church and manifest and affect it, but they
affect the individual members of the Church in different ways according to
the diversity of orders, functions and actual participation. § 2. Liturgical
actions, to the extent that by their proper nature they involve a common
celebration, are to be celebrated where possible with the presence and
active participation of the Christian faithful.

Can. 838 § 1. The supervision of the sacred liturgy depends solely on the
authority of the Church which resides in the Apostolic See and, in accord
with the law, the diocesan bishop. § 2. It is for the Apostolic See to order
the sacred liturgy of the universal Church, to publish the liturgical books, to
review their translations into the vernacular languages and to see that
liturgical ordinances are faithfully observed everywhere. § 3. It pertains to
the conferences of bishops to prepare translations of the liturgical books into
the vernacular languages, with the appropriate adaptations within the limits
defined in the liturgical books themselves, and to publish them with the prior
review by the Holy See. § 4. It pertains to the diocesan bishop in the church
entrusted to him, within the limits of his competence, to issue liturgical
norms by which all are bound.

Can. 839 § 1. The Church carries out the office of sanctification in other
ways also, whether by prayers by which God is asked that the Christian
faithful be sanctified in truth, or by works of penance and charity which greatly help to root and strengthen the kingdom of Christ in souls and contribute to the salvation of the world. § 2. Local ordinaries are to see to it that the prayers and other pious and sacred exercises of the Christian people are fully in harmony with the norms of the Church.

PART I OF SACRAMENTS

Can. 840 The sacraments of the New Testament, instituted by Christ the Lord and entrusted to the Church, as they are the actions of Christ and the Church, stand out as the signs and means by which the faith is expressed and strengthened, worship is rendered to God and the sanctification of humankind is effected, and they thus contribute in the highest degree to the establishment, strengthening and manifestation of ecclesial communion; therefore both the sacred ministers and the rest of the Christian faithful must employ the greatest reverence and the necessary diligence in their celebration.

Can. 841 Since the sacraments are the same for the universal Church and pertain to the divine deposit, it is for the supreme authority of the Church alone to approve or define those things which are required for their validity; it is for the same supreme authority of the Church or other competent authority in accord with the norm of can. 838, §§ 3 and 4 to determine what pertains to their lawful celebration, administration and reception and also the order to be observed in their celebration.

Can. 842 § 1. One who has not received baptism cannot be validly admitted to the other sacraments. § 2. The sacraments of baptism, confirmation, and the Most Holy Eucharist are so interrelated that they are required for full Christian initiation.

Can. 843 § 1. The sacred ministers cannot refuse the sacraments to those who ask for them at appropriate times, are properly disposed and are not prohibited by law from receiving them. § 2. Pastors of souls and the rest of the Christian faithful, according to their ecclesial function, have the duty to see that those who seek the sacraments are prepared to receive them by the necessary evangelization and catechetical formation, taking into account the norms published by the competent authority.

Can. 844 § 1. Catholic ministers may licitly administer the sacraments to Catholic members of the Christian faithful only and, likewise, the latter may
licitly receive the sacraments only from Catholic ministers with due regard for § 2, 3, and 4 of this canon, and can. 861, § 2. Whenever necessity requires or genuine spiritual advantage suggests, and provided (dummodo) that the danger of error or indifferentism is avoided, it is lawful for the faithful for whom it is physically or morally impossible to approach a Catholic minister, to receive the sacraments of penance, Eucharist, and anointing of the sick from non-Catholic ministers in whose churches these sacraments are valid. § 3. Catholic ministers may licitly administer the sacraments of penance, Eucharist and anointing of the sick to members of the oriental churches which do not have full communion with the Catholic Church, if they ask on their own for the sacraments and are properly disposed. This holds also for members of other churches which in the judgment of the Apostolic See are in the same condition as the oriental churches as far as these sacraments are concerned. § 4. If the danger of death is present or other grave necessity, in the judgment of the diocesan bishop or the conference of bishops, Catholic ministers may licitly administer these sacraments to other Christians who do not have full communion with the Catholic Church, who cannot approach a minister of their own community and on their own ask for it, provided (dummodo) they manifest Catholic faith in these sacraments and are properly disposed. § 5. For the cases in § 2, 3, and 4, neither the diocesan bishop nor the conference of bishops is to enact general norms except (nisi) after consultation with at least the local competent authority of the interested non-Catholic Church or community.

**Can. 845** § 1. The sacraments of baptism, confirmation and orders cannot be repeated since they imprint a character. § 2. If, after diligent investigation, there is still a prudent doubt whether these sacraments mentioned in § 1 have been truly or validly conferred, they are to be conferred conditionally.

**Can. 846** § 1. The liturgical books approved by the competent authority are to be faithfully observed in the celebration of the sacraments; therefore no one on personal authority may add, remove or change anything in them. § 2. The ministers are to celebrate the sacraments according to their own rite.

**Can. 847** § 1. In the administration of the sacraments in which the sacred oils are to be used, the minister must use oils pressed from olives or from
other plants that have been recently consecrated or blessed by the bishop, with due regard for the prescription of can. 999, § 2; he is not to use old oils unless (nisi) there is some necessity. § 2. The pastor (parochus) is to obtain the sacred oils from his own bishop and keep them carefully in a fitting manner.

**Can.** 848 The minister should ask nothing for the administration of the sacraments beyond the offerings defined by the competent authority, always being careful that the needy are not deprived of the help of the sacraments because of their poverty.

**Can.** 849 Baptism, the gate to the sacraments, necessary for salvation in fact or at least in intention, by which men and women are freed from their sins, are reborn as children of God and, configured to Christ by an indelible character, are incorporated in the Church, is validly conferred only by washing with true water together with the required form of words.

**Can.** 850 Baptism should be administered in accord with the order prescribed in the approved liturgical books, except for the case of urgent necessity when only what is required for the validity of the sacrament must be observed.

**Can.** 851 It is necessary that the celebration of baptism be properly prepared. Thus: (1) an adult who intends to receive baptism is to be admitted to the catechumenate and, to the extent possible, be led through the several stages to sacramental initiation, in accord with the order of initiation adapted by the conference of bishops and the special norms published by it; (2) the parents of an infant who is to be baptized and likewise those who are to undertake the office of sponsor are to be properly instructed in the meaning of this sacrament and the obligations which are attached to it; personally or through others the pastor (parochus) is to see to it that the parents are properly formed by pastoral directions and by common prayer, gathering several families together and where possible visiting them.

**Can.** 852 § 1. What is prescribed in the canons on the baptism of an adult is applicable to all who are no longer infants but have attained the use of reason. § 2. One who is not of sound mind (non sui compos) is equated with an infant so far as baptism is concerned.
Can. 853 Outside a case of necessity the water to be used in the conferral of baptism should be blessed in accord with the prescriptions of the liturgical books.

Can. 854 Baptism is to be conferred either by immersion or by pouring, the prescriptions of the conference of bishops being observed.

Can. 855 Parents, sponsors and the pastor (parochus) are to see that a name foreign to a Christian mentality is not given.

Can. 856 Although baptism may be celebrated on any day, it is recommended that ordinarily it be celebrated on a Sunday or if possible at the Easter Vigil.

Can. 857 § 1. Outside a case of necessity, the proper place for baptism is a church or oratory. § 2. As a rule adults are to be baptized in their own parish church and infants in the parish church proper to their parents, unless (nisi) a just cause suggests otherwise.

Can. 858 § 1. Every parish church is to have a baptismal font, with due regard for the cumulative right already acquired by other churches. § 2. The local ordinary, after hearing the pastor (parochus) of the place, may permit or order for the convenience of the faithful that there be a baptismal font in another church or oratory within the boundaries of the parish.

Can. 859 If due to grave inconvenience because of distance or other circumstances a person to be baptized cannot go or be taken to the parish church or to the other church or oratory mentioned in can. 858, § 2, baptism may and must be conferred in some nearer church or oratory, or even in some other fitting place.

Can. 860 § 1. Outside the case of necessity, baptism is not to be conferred in private homes, unless (nisi) the local ordinary has permitted this for a grave cause. § 2. Baptism is not to be celebrated in hospitals unless (nisi) the diocesan bishop has decreed otherwise, except in case of necessity or some other compelling pastoral reason.

Can. 861 § 1. The ordinary minister of baptism is a bishop, presbyter or deacon, with due regard for the prescription of can. 530, n. 1. § 2. If the ordinary minister is absent or impeded, a catechist or other person deputed for this function by the local ordinary confers baptism licitly as does any person with the right intention in case of necessity; shepherds of souls,
especially the pastor (parochus), are to be concerned that the faithful be instructed in the correct manner of baptizing.

**Can. 862** Outside the case of necessity, it is not lawful for anyone, without the required permission, to confer baptism in the territory of another, not even upon his own subjects.

**Can. 863** The baptism of adults, at least those who have completed fourteen years of age is to be referred to the bishop so that it may be conferred by him, if he judges it expedient.

**Can. 864** Every person not yet baptized and only such a person is able to be baptized.

**Can. 865 § 1.** To be baptized, it is required that an adult have manifested the will to receive baptism, be sufficiently instructed in the truths of faith and in Christian obligations and be tested in the Christian life by means of the catechumenate; the adult is also to be exhorted to have sorrow for personal sins. § 2. An adult in danger of death may be baptized if, having some knowledge of the principal truths of faith, the person has in any way manifested an intention of receiving baptism and promises to observe the commandments of the Christian religion.

**Can. 866** Unless (nisi) a grave reason prevents it, an adult who is baptized is to be confirmed immediately after baptism and participate in the celebration of the Eucharist, also receiving Communion.

**Can. 867 § 1.** Parents are obliged to see to it that infants are baptized within the first weeks after birth; as soon as possible after the birth or even before it parents are to go to the pastor (parochus) to request the sacrament for their child and to be prepared for it properly. § 2. An infant in danger of death is to be baptized without any delay.

**Can. 868 § 1.** For the licit baptism of an infant it is necessary that: (1) the parents or at least one of them or the person who lawfully takes their place gives consent; (2) there be a founded hope that the infant will be brought up in the Catholic religion; if such a hope is altogether lacking, the baptism is to be put off according to the prescriptions of particular law and the parents are to be informed of the reason. § 2. The infant of Catholic parents, in fact of non-Catholic parents also, who is in danger of death is licitly baptized even against the will of the parents.

btcajx
**Can. 869 § 1.** If there is a doubt whether one has been baptized or whether baptism was validly conferred and the doubt remains after serious investigation, baptism is to be conferred conditionally. § 2. Those baptized in a non-Catholic ecclesial community are not to be baptized conditionally unless (nisi), after an examination of the matter and the form of words used in the conferral of baptism and after a consideration of the intention of an adult baptized person and of the minister of the baptism, a serious reason for doubting the validity of the baptism is present. § 3. If the conferral or the validity of the baptism in the cases mentioned in §§ 1 and 2 remains doubtful, baptism is not to be conferred until (nisi) the doctrine of the sacrament of baptism is explained to the person, if an adult, and the reasons for the doubtful validity of the baptism have been explained to the adult recipient or, in the case of an infant, to the parents.

**Can. 870** A foundling or abandoned child is to be baptized unless (nisi) upon diligent investigation proof of baptism is established.

**Can. 871** If aborted fetuses are alive, they are to be baptized if this is possible.

**Can. 872** Insofar as possible one to be baptized is to be given a sponsor who is to assist an adult in Christian initiation, or, together with the parents, to present an infant at the baptism, and who will help the baptized to lead a Christian life in harmony with baptism, and to fulfill faithfully the obligations connected with it.

**Can. 873** Only one male or one female sponsor or one of each sex is to be employed.

**Can. 874 § 1.** To be admitted to the role of sponsor, a person must: (1) be designated by the one to be baptized, by the parents or the one who takes their place or, in their absence, by the pastor (parochus) or minister and is to have the qualifications and intention of performing this role; (2) have completed the sixteenth year, unless (nisi) a different age has been established by the diocesan bishop or it seems to the pastor (parochus) or minister that an exception is to be made for a just cause; (3) be a Catholic who has been confirmed and has already received the sacrament of the Most Holy Eucharist and leads a life in harmony with the faith and the role to be undertaken; (4) not be bound by any canonical penalty legitimately imposed or declared; (5) not be the father or the mother of the one to be baptized. §
2. A baptized person who belongs to a non-Catholic ecclesial community may not be admitted except as a witness to baptism and together with a Catholic sponsor.

**Can.** 875 One who administers baptism is to see to it that, unless (nisi) a sponsor is present, there be at least a witness by whom the conferral of baptism can be proved.

**Can.** 876 If it is not prejudicial to anyone, to prove the conferral of baptism, the declaration of a single witness who is above suspicion suffices or the oath of the baptized person, if the baptism was received at an adult age.

**Can.** 877 § 1. The pastor (parochus) of the place where the baptism is celebrated must carefully and without delay record in the baptismal book the names of those baptized making mention of the minister, parents, sponsors, witnesses if any and the place and date of the conferred baptism, together with an indication of the date and place of birth. § 2. If it is a question of a child born of an unmarried mother, the name of the mother is to be inserted if there is public proof of her maternity or if she asks this willingly, either in writing or before two witnesses; likewise the name of the father is to be inserted if his paternity has been proved either by some public document or by his own declaration before the pastor (parochus) and two witnesses; in other cases, the name of the one baptized is recorded without any indication of the name of the father or the parents. § 3. If it is a question of an adopted child, the names of the adopting parents are to be recorded, and also, at least if this is to be done in the civil records of the region, the names of the natural parents, in accord with § § 1 and 2, with due regard for the prescriptions of the conference of bishops.

**Can.** 878 If baptism was administered neither by the pastor (parochus) nor in his presence, the minister of baptism, whoever it is, must inform the pastor (parochus) of the parish in which the baptism was administered, so that he may record it in accord with can. 877, § 1. Can. 879 The sacrament of confirmation impresses a character and by it the baptized, continuing on the path of Christian initiation, are enriched by the gift of the Holy Spirit and bound more perfectly to the Church; it strengthens them and obliges them more firmly to be witnesses to Christ by word and deed and to spread and defend the faith.
Can. 880 § 1. The sacrament of confirmation is conferred through anointing with chrism on the forehead, which is done by the imposition of the hand, and through the words prescribed in the approved liturgical books. § 2. The chrism to be used in the sacrament of confirmation must be consecrated by a bishop, even if the sacrament is administered by a presbyter.

Can. 881 It is desirable that the sacrament of confirmation be celebrated in a church and during Mass, but for a just and reasonable cause it may be celebrated outside Mass and in any worthy place.

Can. 882 The ordinary minister of confirmation is the bishop; a presbyter who has this faculty by virtue of either the universal law or a special concession of competent authority also confers this sacrament validly.

Can. 883 The following have the faculty of administering confirmation by the law itself: (1) within the limits of their territory, those who are equivalent in law to the diocesan bishop; (2) with regard to the person in question, the presbyter who by reason of office or mandate of the diocesan bishop baptizes one who is no longer an infant or one already baptized whom he admits into the full communion of the Catholic Church; (3) with regard to those in danger of death, the pastor (parochus) or indeed any presbyter.

Can. 884 § 1. The diocesan bishop is to administer confirmation personally or see that it is administered by another bishop, but if necessity requires he may give the faculty to administer this sacrament to one or more specified presbyters. § 2. For a grave cause, a bishop and likewise a presbyter who has the faculty to confirm by virtue of law or special concession of competent authority may in individual cases associate presbyters with themselves so that they may administer the sacrament.

Can. 885 § 1. The diocesan bishop is obliged to see that the sacrament of confirmation is conferred on his subjects who properly and reasonably request it. § 2. A presbyter who has this faculty must use it for those in whose favor the faculty was granted.

Can. 886 § 1. In his own diocese the bishop legitimately administers the sacrament of confirmation even to the faithful who are not his subjects, unless (nisi) there is an express prohibition by their own proper ordinary. § 2. To administer confirmation licitly in another diocese, the bishop needs at
least the reasonably presumed permission of the diocesan bishop, unless (nisi) it is a question of his own subjects.

**Can. 887** A presbyter who has the faculty to administer confirmation licitly confers this sacrament even on externs in the territory designated for him, unless (nisi) there is a prohibition of their own proper ordinary; but such a presbyter may not validly confer the sacrament on anyone in another territory with due regard for the prescription of can. 883, n. 3.

**Can. 888** The ministers may administer confirmation even in exempt places within the territory where they are able to confer the sacrament.

**Can. 889** § 1. All baptized persons who have not been confirmed and only they are capable of receiving confirmation. § 2. Outside the danger of death, to be licitly confirmed it is required, if the person has the use of reason, that one be suitably instructed, properly disposed and able to renew one's baptismal promises.

**Can. 890** The faithful are obliged to receive this sacrament at the appropriate time; their parents and shepherds of souls, especially pastors (parochus), are to see to it that the faithful are properly instructed to receive it and approach the sacrament at the appropriate time.

**Can. 891** The sacrament of confirmation is to be conferred on the faithful at about the age of discretion unless (nisi) the conference of bishops determines another age or there is danger of death or in the judgment of the minister a grave cause urges otherwise.

**Can. 892** As far as possible a sponsor for the one to be confirmed should be present; it is for the sponsor to see that the confirmed person acts as a true witness to Christ and faithfully fulfills the obligations connected with this sacrament.

**Can. 893** § 1. To perform the role of sponsor, it is necessary that a person fulfill the conditions mentioned in can. 874. § 2. It is desirable that the one who undertook the role of sponsor at baptism be sponsor for confirmation.

**Can. 894** The prescriptions of can. 876 are to be observed for the proof of the conferral of confirmation.

**Can. 895** The names of the confirmed with mention of the minister, the parents and the sponsors, the place and the date of the conferral of
confirmation are to be noted in the confirmation register in the diocesan curia, or, where the conference of bishops or the diocesan bishop has prescribed it, in a book kept in the parish archive; the pastor (parochus) must advise the pastor (parochus) of the place of baptism about the conferral of confirmation so that notation be made in the baptismal register, in accord with the norm of can. 535, § 2. Can. 896 If the pastor (parochus) of the place were not present, the minister either personally or through another is to inform him of the confirmation as soon as possible.

**Can. 897** The Most Holy Eucharist is the most august sacrament, in which Christ the Lord himself is contained, offered and received, and by which the Church constantly lives and grows. The Eucharistic Sacrifice, the memorial of the death and resurrection of the Lord, in which the sacrifice of the cross is perpetuated over the centuries, is the summit and the source of all Christian worship and life; it signifies and effects the unity of the people of God and achieves the building up of the Body of Christ. The other sacraments and all the ecclesiastical works of the apostolate are closely related to the Holy Eucharist are directed to it.

**Can. 898** The faithful are to hold the Eucharist in highest honor, taking part in the celebration of the most august Sacrifice, receiving the sacrament devoutly and frequently, and worshiping it with supreme adoration; pastors, clarifying the doctrine on this sacrament, are to instruct the faithful thoroughly about this obligation.

**Can. 899 § 1.** The celebration of the Eucharist is the action of Christ Himself and the Church; in it Christ the Lord, by the ministry of a priest, offers Himself, substantially present under the forms of bread and wine, to God the Father and gives Himself as spiritual food to the faithful who are associated with His offering. § 2. In the Eucharistic banquet the people of God are called together, with the bishop or, under his authority, a presbyter presiding and acting in the person of Christ; and all the faithful present, whether clergy or laity, participate together in their own way, according to the diversity of orders and liturgical roles. § 3. The celebration of the Eucharist is to be so arranged that all who take part receive from it the many fruits for which Christ the Lord instituted the Eucharistic Sacrifice.

**Can. 900 § 1.** The minister, who in the person of Christ can confect the sacrament of the Eucharist, is solely a validly ordained priest. § 2. A priest...
who is not canonically impeded celebrates the Eucharist licitly observing the prescriptions of the following canons.

**Can. 901** A priest may apply the Mass for anyone, living or dead.

**Can. 902** Priests may concelebrate the Eucharist unless (nisi) the welfare of the Christian faithful requires or urges otherwise but with due regard for 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.

**Can. 903** A priest is to be permitted to celebrate even if he is unknown to the rector of the church provided (dummodo) he presents a letter of recommendation issued by his ordinary or superior with the year or provided it can be prudently judged that the priest is not prevented from celebrating.

**Can. 904** Remembering that the work of redemption is continually accomplished in the mystery of the Eucharistic Sacrifice, priests are to celebrate frequently; indeed daily celebration is strongly recommended, since even if the faithful cannot be present, it is the act of Christ and the Church in which priests fulfill their principal function.

**Can. 905 § 1.** It is not licit for a priest to celebrate the Eucharist more than once a day except for certain instances when the law permits such celebration or concelebration more than once. § 2. If priests are lacking, the local ordinary may permit priests, for a just cause, to celebrate twice a day and even, if pastoral need requires it, three times on Sundays and holy days of obligation.

**Can. 906** A priest may not celebrate without the participation of at least some member of the faithful, except (nisi) for a just a reasonable cause.

**Can. 907** In the celebration of the Eucharist it is not licit for deacons and lay persons to say prayers, in particular the Eucharistic prayer, or to perform actions which are proper to the celebrating priest.

**Can. 908** It is forbidden for Catholic priests to concelebrate the Eucharist with priests or ministers of churches or ecclesial communities which are not in full communion with the Catholic Church.
Can. 909 The priest is not to fail to make the required prayerful preparation for the celebration of the Eucharistic Sacrifice or the thanksgiving to God upon its completion.

Can. 910 § 1. The ordinary minister of Holy Communion is a bishop, a presbyter or a deacon. § 2. The extraordinary minister of Holy Communion is an acolyte or other member of the Christian faithful deputed in accord with can. 230, § 3. Can. 911 § 1. The pastor (parochus) and parochial vicars, chaplains and, for all who live in the house, the superior of the community in clerical religious institutes or societies of apostolic life have the right and the duty to bring the Most Holy Eucharist to the sick in the form of Viaticum. § 2. In cases of necessity or with at least the presumed permission of the pastor, chaplain, or superior, who should later be notified, any priest or other minister of Holy Communion must do this.

Can. 912 Any baptized person who is not prohibited by law can and must be admitted to Holy Communion.

Can. 913 § 1. For the administration of the Most Holy Eucharist to children, it is required that they have sufficient knowledge and careful preparation so as to understand the mystery of Christ according to their capacity, and can receive the Body of the Lord with faith and devotion. § 2. The Most Holy Eucharist may be given to children who are in danger of death, however, if they are able to distinguish the Body of Christ from ordinary food and to receive Communion reverently.

Can. 914 It is the responsibility, in the first place, of parents and those who take the place of parents as well as of the pastor (parochus) to see that children who have reached the use of reason are correctly prepared and are nourished by the divine food as early as possible, preceded by sacramental confession; it is also for the pastor (parochus) to be vigilant lest any children come to the Holy Banquet who have not reached the use of reason or whom he judges are not sufficiently disposed.

Can. 915 Those who are excommunicated or interdicted after the imposition or declaration of the penalty and others who obstinately persist in manifest grave sin are not to be admitted to Holy Communion.

Can. 916 A person who is conscious of grave sin is not to celebrate Mass or to receive the Body of the Lord without prior sacramental confession unless ( nisi) a grave reason is present and there is no opportunity of
confessing; in this case the person is to be mindful of the obligation to make an act of perfect contrition, including the intention of confessing as soon as possible.

**Can. 917** A person who has received the Most Holy Eucharist may receive it again on the same day only during the celebration of the Eucharist in which the person participates, with due regard for the prescription of can. 921, § 2. Can. 918 It is highly recommended that the faithful receive Holy Communion during the celebration of the Eucharist itself, but it should be administered outside Mass to those who request it for a just cause, the liturgical rites being observed.

**Can. 919** § 1. One who is to receive the Most Holy Eucharist is to abstain from any food or drink, with the exception only of water and medicine, for at least the period of one hour before Holy Communion. § 2. A priest who celebrates the Most Holy Eucharist two or three times on the same day may take something before the second or third celebration even if the period of one hour does not intervene. § 3. Those who are advanced in age or who suffer from any infirmity, as well as those who take care of them, can receive the Most Holy Eucharist even if they have taken something during the previous hour.

**Can. 920** § 1. All the faithful, after they have been initiated into the Most Holy Eucharist, are bound by the obligation of receiving Communion at least once a year. § 2. This precept must be fulfilled during the Easter season unless (nisi) it is fulfilled for a just cause at some other time during the year.

**Can. 921** § 1. The Christian faithful who are in danger of death, arising from any cause, are to be nourished by Holy Communion in the form of Viaticum. § 2. Even if they have received Communion in the same day, those who are in danger of death are strongly urged to receive again. § 3. While the danger of death lasts, it is recommended that Holy Communion be given repeatedly but on separate days.

**Can. 922** Holy Viaticum for the sick is not to be delayed too long; those who have the care of souls are to be zealous and vigilant that they are nourished by Viaticum while they are fully conscious.

**Can. 923** The Christian faithful may take part in the Eucharistic Sacrifice and receive Communion in any Catholic rite, with due regard for the prescription of can. 844.
**Can.** 924 § 1. The Most Sacred Eucharistic Sacrifice must be offered with bread and wine, with which a small quantity of water is to be mixed. § 2. The bread must be made of wheat alone and recently made so that there is no danger of corruption. § 3. The wine must be natural wine of the grape and not corrupt.

**Can.** 925 Holy Communion is to be given under the form of bread alone or under both kinds in accord with the norm of the liturgical laws or even under the form of wine alone in case of necessity.

**Can.** 926 In accord with the ancient tradition of the Latin Church, the priest is to use unleavened bread in the celebration of the Eucharist whenever he offers it.

**Can.** 927 It is sinful, even in extreme necessity, to consecrate one matter without the other or even both outside the celebration of the Eucharist.

**Can.** 928 The Eucharist is to be celebrated in the Latin language or in another language provided (dummodo) the liturgical texts have been legitimately approved.

**Can.** 929 In celebrating and administering the Eucharist, priests and deacons are to wear the liturgical vestments prescribed by the rubrics.

**Can.** 930 § 1. If a sick or aged priest is unable to stand, he may celebrate the Eucharistic Sacrifice while seated, observing the liturgical laws, but not with the people present unless (nisi) by permission of the local ordinary. § 2. A blind priest or one with some other infirmity celebrates the Eucharistic Sacrifice licitly by using the text of any approved Mass, with another priest, deacon or even properly instructed lay person present to help him, if needed.

**Can.** 931 The celebration and distribution of the Eucharist may take place on any day and at any hour, except for those times excluded by the liturgical norms.

**Can.** 932 § 1. The celebration of the Eucharist is to be performed in a sacred place, unless (nisi) in a particular case necessity demands otherwise; in such a case the celebration must be done in a respectable place. § 2. The Eucharistic Sacrifice is to be performed upon a dedicated or blessed altar; a suitable table can be used outside a sacred place, always retaining the use of a cloth and corporal.
Can. 933 For a just cause and with the express permission of the local ordinary it is licit for a priest to celebrate the Eucharist in a sacred edifice of another church or ecclesial community that does not have full communion with the Catholic Church, scandal being avoided.

Can. 934 § 1. The Most Holy Eucharist: (1) must be reserved in the cathedral church or its equivalent, in every parish church and in the church or oratory attached to the house of a religious institute or society of apostolic life; (2) it can be reserved in the chapel of a bishop and, with the permission of the local ordinary, in other churches, oratories or chapels. § 2. In sacred places where the Most Holy Eucharist is reserved there must always be someone who has the care of it, and, insofar as possible, a priest is to celebrate Mass there at least twice a month.

Can. 935 It is not licit to keep the Most Holy Eucharist on one's person or to carry it on a journey unless (nisi) there is an urgent pastoral need and the precepts of the diocesan bishop are observed.

Can. 936 In the house of a religious institute or in any other pious house the Most Holy Eucharist is to be reserved only in the church or principal oratory attached to the house, but, for a just cause the ordinary can permit that it be reserved in another oratory of the same house.

Can. 937 Unless (nisi) a grave reason prevents it, the church in which the Most Holy Eucharist is reserved should be open to the faithful for at least some hours each day so that they are able to spend time in prayer before the Most Blessed Sacrament.

Can. 938 § 1. The Most Holy Eucharist is to be reserved regularly in only one tabernacle of a church or oratory. § 2. The tabernacle in which the Most Holy Eucharist is reserved should be placed in a part of the church that is prominent, conspicuous, beautifully decorated, and suitable for prayer. § 3. The tabernacle in which the Eucharist is regularly reserved is to be immovable, made of solid and opaque material, and locked so that the danger of profanation may be entirely avoided. § 4. For a grave cause, it is licit to reserve the Most Holy Eucharist in another safer and becoming place especially during the night. § 5. The person who has charge of the church or oratory is to see to it that the key of the tabernacle in which the Most Holy Eucharist is reserved is safeguarded most diligently.
**Can.** 939 Consecrated hosts are to be reserved in a ciborium or vessel in sufficient quantity for the needs of the faithful; they are to be frequently renewed and the old hosts properly consumed.

**Can.** 940 A special lamp to indicate and honor the presence of Christ is to burn at all times before the tabernacle in which the Most Holy Eucharist is reserved.

**Can.** 941 § 1. In churches or oratories where it is permitted to reserve the Most Holy Eucharist, there can be expositions either with the ciborium or with a monstrance, observing the norms prescribed in the liturgical books. § 2. Exposition of the Most Holy Sacrament is not to be held in the same part of the church or oratory during the celebration of Mass.

**Can.** 942 It is recommended that in these same church and oratories an annual solemn exposition of the Most Holy Sacrament be held during a suitable period of time, even if not continuous, so that the local community may meditate and may adore the Eucharistic Mystery more profoundly; but this kind of exposition is to be held only if a suitable gathering of the faithful is foreseen and the established norms are observed.

**Can.** 943 The minister of exposition of the Most Holy Sacrament and the Eucharistic benediction is a priest or deacon; in particular circumstances the minister of exposition and reposition only, without benediction, is an acolyte, an extraordinary minister of Holy Communion or another person deputed by the local ordinary observing the prescriptions of the diocesan bishop.

**Can.** 944 § 1. When it can be done in the judgment of the diocesan bishop, as a public witness of the veneration toward the Most Holy Eucharist, a procession is to be conducted through the public streets, especially on the solemnity of the Body and the Blood of Christ. § 2. It is for the diocesan bishop to enact regulations which concern for participation in and the dignity of the procession.

**Can.** 945 § 1. In accord with the approved usage of the Church, it is lawful for any priest who celebrates or concelebrates Mass to receive an offering to apply the Mass according to a definite intention. § 2. It is strongly recommended that priests celebrate Mass for the intention of the Christian faithful, especially of the needy, even if no offering has been received.
**Can.** 946 The Christian faithful who make an offering so that the Mass may be applied for their intention contribute to the good of the Church and by their offering take part in the concern of the Church for the support of its ministers and works.

**Can.** 947 Any appearance of trafficking or commerce is to be entirely excluded from Mass offerings.

**Can.** 948 Separate Masses are to be applied for the intentions for which an individual offering, even if small, has been made and accepted.

**Can.** 949 One who has the obligation of celebrating Mass and applying it for the intention of those who made the offering is bound by the same obligation even if the offerings received have been lost, through not fault of his own.

**Can.** 950 If the sum of money is offered for the application of Masses without an indication of the number of Masses to be celebrated, the number is to be computed in view of the offering established in the place where the donor resides unless (nisi) the donor's intention must be lawfully presumed to have been different.

**Can.** 951 § 1. A priest who celebrates Mass more than once on the same day may apply the individual Mass for the intention for which the offering is made, but with the law that, except on Christmas, he may retain the offering for only one Mass, giving the other offerings to purposes prescribed by the ordinary, except for some recompense by reason of an extrinsic title. § 2. A priest who concelebrates a second Mass on the same day may not take an offering for it under any title.

**Can.** 952 § 1. It is for the provincial council or a meeting of the bishops of the province to determine by decree for the whole province what offering is to be made for the celebration and application of a Mass and it is not licit for a priest to ask for a larger sum; nevertheless it is lawful for a priest to accept for the application of a Mass a voluntary offering that is larger or even smaller than the one determined. § 2. Where there is no such decree the custom in effect in the diocese is to be observed. § 3. Members of any religious institutes of any kind must also observe the decree or custom of the place mentioned in §§ 1 and 2.
Can. 953 It is not lawful for anyone to accept more stipends for Masses to be applied by himself than he can satisfy within a year.

Can. 954 If in certain churches or oratories Masses are requested for celebration in larger numbers than can be celebrated there, they may be celebrated elsewhere unless ( nisi) the donors have expressly indicated a contrary intention.

Can. 955 § 1. One who intends to entrust to others Masses to be applied, is to entrust to their celebration as soon as possible to priests acceptable to him, provided ( dummodo) it is clear to him that they are entirely above suspicion; he must transmit the entire stipend he received unless ( nisi) it is established with certainty that the excess over the appropriate amount in the diocese was given for personal reasons; he is also obliged to see to the celebration of the Masses until he has received notification that the obligation has been accepted and the stipend received. § 2. The time within which the Masses are to be celebrated begins on the day on which the priest who is to celebrate them receives them unless ( nisi) otherwise indicated. § 3. Those who entrusted to others Masses to be celebrated are to note in a book without delay both the Masses received and those sent to others, as well as their stipends. § 4. Every priest must accurately note Masses which he has accepted to celebrate and which have been satisfied.

Can. 956 Each and every administrator of pious causes or those obliged in any way to see to the celebration of Masses, whether clergy or laity, are to give to their ordinaries, in a manner to be determined by the latter, Mass obligations which have not been satisfied within a year.

Can. 957 The duty and right of seeing to it that Mass obligations are fulfilled belong to the local ordinary in the churches of secular clergy and to the superiors in the churches of religious institutes and societies of apostolic life.

Can. 958 § 1. The pastor ( parochus) and rector of a church or other pious place where Mass offerings are usually received are to have a special book in which they list accurately the number of Masses to be celebrated, the intention, the stipend given and their celebration. § 2. The ordinary is obliged to examine these books each year either personally or through others.
Can. 959 In the sacrament of penance the faithful, confessing their sins to a legitimate minister, being sorry for them, and at the same time proposing to reform, obtain from God forgiveness of sins committed after baptism through the absolution imparted by the same minister; and they likewise are reconciled with the Church which they have wounded by sinning.

Can. 960 Individual and integral confession and absolution constitute the only ordinary way by which the faithful person who is aware of serious sin is reconciled with God and with the Church; only physical or moral impossibility excuses the person from confession of this type, in which case reconciliation can take place in other ways.

Can. 961 § 1. Absolution cannot be imparted in a general manner to a number of penitents at once without previous individual confession unless (nisi): (1) the danger of death is imminent and there is not time for the priest or priests to hear the confessions of the individual penitents; (2) a serious necessity exists, that is, when in the light of the number of penitents a supply of confessors is not readily available rightly to hear the confessions of individuals within a suitable time so that the penitents are forced to be deprived of sacramental grace or holy communion for a long time through no fault of their own; it is not considered a sufficient necessity if confessors cannot be readily available only because of the great number of penitents as can occur on the occasion of some great feast of pilgrimage. § 2. It is for the diocesan bishop to judge whether the conditions required in § 1, n. 2, are present; he can determine general cases of such necessity in the light of criteria agreed upon with other members of the conference of bishops.

Can. 962 § 1. For a member of the Christian faithful validly to enjoy sacramental absolution given to many at one time, it is required that this person not only be suitably disposed but also at the same time intend to confess individually in due time the serious sins which at present cannot be so confessed. § 2. As much as can be done, the Christian faithful are to be instructed concerning the requirements specified in § 1, also on the occasion of receiving general absolution; an exhortation that each person take care to make an act of contrition is to precede general absolution, even in danger of death if time is available.

Can. 963 With due regard for the obligation mentioned in can. 989, a person who has had serious sins remitted by a general absolution is to approach individual confession as soon as there is an opportunity to do so.
before receiving another general absolution unless (nisi) a just cause intervenes.

**Can.** 964 § 1. The proper place to hear sacramental confessions is a church or an oratory. § 2. The conference of bishops is to issue norms concerning the confessional, seeing to it that confessionals with a fixed grille between penitent and the faithful who wish to make use of them may do so freely. § 3. Confessions are not to be heard outside the confessional without (nisi) a just cause.

**Can.** 965 Only a priest is the minister of the sacrament of penance.

**Can.** 966 § 1. For the valid absolution of sins it is required that, besides the power received through sacred ordination, the minister possess the faculty to exercise that power over the faithful to whom he imparts absolution. § 2. A priest can be given this faculty either by the law itself or by a concession granted by competent authority in accord with the norm of can. 969.

**Can.** 967 § 1. Besides the Roman Pontiff, cardinals by the law itself possess the faculty to hear the confessions of the Christian faithful anywhere in the world; likewise, bishops possess this faculty and licitly use it anywhere unless (nisi) the diocesan bishop denies it in a particular case. § 2. Those who enjoy the faculty of hearing confessions habitually whether in virtue of office or by grant from the ordinary of the place of incardination or the place in which they have a domicile can exercise the same faculty everywhere unless (nisi) the local ordinary denies it in a particular case, with due regard for the prescriptions of can. 974, § § 2 and 3. § 3. Those who have been granted the faculty to hear confessions in virtue of an office or by a grant from the competent superior in accord with the norms of cann. 968, § 2 and 969, § 2 can by the law itself use the faculty anywhere in respect to members and others who stay day and night in a house of the institute or society; such persons also exercise this faculty licitly unless (nisi) some major superior has denied it concerning his own subjects in a particular case.

**Can.** 968 § 1. In virtue of their office any local ordinary, canon penitentiary, as well as the pastor (parochus) of a parish and those who take the place of the pastor (parochus) of a parish possess the faculty to hear confessions within their jurisdiction. § 2. In virtue of their office superiors of
a clerical religious institute or society of apostolic life of pontifical right who in accord with the norms of their constitutions possess executive power of governance enjoy the faculty to hear the confessions of their subjects and others staying in the religious house day and night, with due regard for the prescription of can. 630, § 4. Can. 969 § 1. The local ordinary alone is competent to confer upon any presbyters whatsoever the faculty to hear the confessions of any of the faithful; however, presbyters who are members of religious institutes should not use such a faculty without at least the presumed permission of their superior. § 2. The superior of a religious institute or of a society of apostolic life of pontifical right mentioned in can. 968, § 2, is competent to confer on any presbyter whatsoever the faculty to hear the confessions of his subjects and others staying day and night in the house.

**Can.** 970 The faculty to hear confessions is not to be granted to presbyters unless (nisi) they are found to be qualified by means of an examination or their qualifications are evident from another source.

**Can.** 971 The local ordinary is not to grant the faculty to hear confessions habitually to a presbyter, even on who has a domicile or quasi- -domicile in his jurisdiction, without first consulting with his ordinary, if possible.

**Can.** 972 The faculty to hear confessions can be granted by the competent authority mentioned in can. 969 for an indefinite or for a definite period of time.

**Can.** 973 The faculty to hear confessions habitually is to be granted in writing.

**Can.** 974 § 1. The local ordinary as well as the competent superior is not to revoke the faculty to hear confessions habitually except (nisi) for a serious cause. § 2. When the faculty to hear confessions is revoked by the local ordinary who granted it as mentioned in can. 967, § 2, the presbyter loses that faculty everywhere; when this faculty is revoked by another local ordinary, the presbyter loses it only in the territory of the revoking ordinary. § 3. Any local ordinary who has revoked a presbyter's faculty to hear confessions is to inform the latter's own ordinary by reason of incardination or his competent superior in the case of a member of a religious institute. § 4. When the faculty to hear confessions is revoked by his own major superior, the presbyter loses the faculty to hear the confessions of the
members of the institute everywhere; when the faculty is revoked by another competent superior the presbyter loses it only as regards the subjects of the superior's jurisdiction.

**Can.** 975 Besides by revocation, the faculty referred to in can. 967, § 2, ceases by loss of office, excardination or loss of domicile.

**Can.** 976 Even though he lacks the faculty to hear confessions, any priest validly and licitly absolves from any kind of censures and sins any penitent who is in danger of death, even if an approved priest is present.

**Can.** 977 The absolution of an accomplice in a sin against the sixth commandment of the Decalogue is invalid, except in danger of death.

**Can.** 978 § 1. In hearing confessions the priest is to remember that he acts as a judge as well as a healer and is placed by God as the minister of divine justice as well as of mercy, concerned with the divine honor and the salvation of souls. § 2. In the administration of the sacrament, the confessor, as a minister of the Church, is to adhere faithfully to the doctrine of the magisterium and the norms enacted by competent authority.

**Can.** 979 The priest in posing questions is to proceed with prudence and discretion, with attention to the condition and age of the penitent, and he is to refrain from asking the name of an accomplice.

**Can.** 980 If the confessor has no doubt about the disposition of a penitent who asks for absolution, absolution is not to be refused or delayed.

**Can.** 981 The confessor is to enjoin salutary and suitable penances in keeping with the quality and number of the sins but with attention to the condition of the penitent; the penitent is obliged to perform the penances personally.

**Can.** 982 One who confesses the false denunciation of an innocent confessor to ecclesiastical authority concerning the crime of solicitation to sin against the sixth commandment of the Decalogue is not to be absolved unless (nisi) that person has first formally retracted the false denunciation and is prepared to repair damages, if they have occurred.

**Can.** 983 § 1. The sacramental seal is inviolable; therefore, it is a crime for a confessor in any way to betray a penitent by word or in any other manner or for any reason. § 2. An interpreter, if there is one present, is also
obliged to preserve the secret, and also all others to whom knowledge of sins from confession shall come in any way.

**Can. 984 § 1.** Even if every danger of revelation is excluded, a confessor is absolutely forbidden to use knowledge acquired from confession when it might harm the penitent. **§ 2.** One who is placed in authority can in no way use for external governance knowledge about sins which he has received in confession at any time.

**Can. 985** A director of novices and his associate, the rector of a seminary or other institution of education are not to hear the sacramental confessions of their students living in the same house unless (nisi) the students in particular cases spontaneously request it.

**Can. 986 § 1.** All to whom the care of souls is committed by reason of an office are obliged to provide that the confessions of the faithful entrusted to their care be heard when they reasonably ask to be heard and that the opportunity be given to them to come to individual confession on days and hours set for their convenience. **§ 2.** In urgent necessity any confessor is obliged to hear the confessions of the Christian faithful, and in danger of death any priest is so obliged.

**Can. 987** In order to receive the salvific remedy of the sacrament of penance, the Christian faithful ought to be so disposed that, having repudiated the sins committed and having a purpose of amendment, they are converted to God.

**Can. 988 § 1.** A member of the Christian faithful is obliged to confess in kind and in number all serious sins committed after baptism and not yet directly remitted through the keys of the Church nor acknowledged in individual confession, of which one is conscious after diligent examination of conscience. **§ 2.** It is to be recommended to the Christian faithful that venial sins also be confessed.

**Can. 989** After having attained the age of discretion, each of the faithful is bound by an obligation faithfully to confess serious sins at least once a year.

**Can. 990** No one is prohibited from confessing through an interpreter, avoiding abuses and scandals; the prescription of can. 983, **§ 2** is to be observed.
Can. 991 The Christian faithful are free to confess to a legitimately approved confessor of their choice, even one of another rite.

Can. 992 An indulgence is a remission before God of the temporal punishment for sin the guilt of which is already forgiven, which a properly disposed member of the Christian faithful obtains under certain and definite conditions with the help of the Church which, as the minister of redemption, dispenses and applies authoritatively the treasury of the satisfactions of Christ and the saints.

Can. 993 An indulgence is partial or plenary in as far as it frees from the temporal punishment due to sin either partly or totally.

Can. 994 The faithful can gain partial or plenary indulgences for themselves or apply them for the dead by way of suffrage.

Can. 995 § 1. Besides the supreme authority of the Church, only those can grant indulgences to whom this power has been given by the law or granted by the Roman Pontiff. § 2. No authority beneath the Roman Pontiff can commit to others the power to grant indulgences unless (nisi) it was expressly given to him by the Apostolic See.

Can. 996 § 1. In order that one be capable of gaining indulgences one must be baptized and not excommunicated and in the state of grace at least at the completion of the prescribed works. § 2. In order that one be a capable subject for gaining indulgences one must have at least the intention of receiving them and fulfill the enjoined works at the stated time in due fashion, according to the tenor of the grant.

Can. 997 In regard to the granting and use of indulgences other prescriptions contained in the particular laws of the Church must be also observed.

Can. 998 The anointing of the sick by which the Church commends to the suffering and glorified Lord the faithful who are dangerously sick so that He relieve and save them, is conferred by anointing them with oil and using the words prescribed in the liturgical books.

Can. 999 Besides a bishop those can bless the oil to be used in the anointing of the sick: (1) who are equivalent in law to a diocesan bishop; (2) in case of necessity, any priest but only in the celebration of the sacrament.
Can. 1000 § 1. The anointings are to be carefully performed while observing the words, the order and the manner prescribed in the liturgical books; but in case of necessity it is sufficient that one anointing be made on the forehead, or even on another part of the body, while saying the entire formula. § 2. The minister is to perform the anointing with his own hand unless ( nisi) a serious reason persuades him to use an instrument.

Can. 1001 Pastors of souls and persons who are close to the sick are to see to it that they are supported by this sacrament at an appropriate time.

Can. 1002 The communal celebration of the anointing of the sick for many of the sick at the same time who are duly prepared and rightly disposed can be performed according to the prescriptions of the diocesan bishop.

Can. 1003 § 1. Every priest, and only a priest, validly administers the anointing of the sick. § 2. All priests to whom the care of souls has been committed have the duty and the right to administer the anointing of the sick to all the faithful committed to their pastoral office; for a reasonable cause any other priest can administer this sacrament with at least the presumed consent of the aforementioned priest. § 3. Every priest is allowed to carry blessed oil with him so that he can administer the sacrament of the anointing of the sick in case of necessity.

Can. 1004 § 1. The anointing of the sick can be administered to a member of the faithful who, after having reached the use of reason, begins to be in danger due to sickness or old age. § 2. This sacrament can be repeated whenever the sick person again falls into a serious sickness after convalescence or whenever a more serious crisis develops during the same sickness.

Can. 1005 This sacrament is to be administered when there is a doubt whether the sick person has attained the use of reason, whether the person is dangerously ill, or whether the person is dead.

Can. 1006 This sacrament is to be conferred upon sick persons who requested it at least implicitly when they were in control of their faculties.

Can. 1007 The anointing of the sick is not to be conferred upon those who obstinately persist in manifest serious sin.

Can. 1008 By divine institution some among the Christian faithful are constituted sacred ministers through the sacrament of orders by means of
the indelible character with which they are marked; accordingly they are consecrated and deputed to shepherd the people of God, each in accord with his own grade of orders, by fulfilling in the person of Christ the Head the functions of teaching, sanctifying and governing.

**Can. 1009 § 1.** The orders are the episcopacy, the presbyterate, and the diaconate. **§ 2.** They are conferred by an imposition of hands and by the consecratory prayer which the liturgical books prescribe for the individual grades.

**Can. 1010** Ordination is to be celebrated within the solemnities of Mass on a Sunday or on a holy day of obligation; for pastoral reasons, however, it can take place on other days, even on ordinary weekdays.

**Can. 1011 § 1.** As a rule ordination is to be celebrated in the cathedral church; for pastoral reasons, however, it can be celebrated in another church or oratory. **§ 2.** The clergy and other members of the Christian faithful are to be invited to the ordination so that a large congregation may be present for the celebration.

**Can. 1012** The minister of sacred ordination is a consecrated bishop.

**Can. 1013** No bishop is permitted to consecrate anyone a bishop unless ( nisi) it is first evident that there is a pontifical mandate.

**Can. 1014** Unless ( nisi) a dispensation has been granted by the Apostolic See, the principal consecrating bishop in an episcopal consecration is to associate to himself at least two other consecrating bishops; but it is especially appropriate that all the bishops who are present should consecrate the bishop-elect along with the bishops mentioned.

**Can. 1015 § 1.** Each candidate is to be ordained to the presbyterate or the diaconate by his own bishop or with legitimate dimissorial letters from him. **§ 2.** The candidates' own proper bishop is to ordain his own subjects personally unless he is impeded from doing so by a just cause; he cannot, however, licitly ordain a subject of an oriental rite without an apostolic indulg. **§ 3.** The person who can grant dimissorial letters to receive orders can also confer these same orders personally provided he possesses the episcopal character.

**Can. 1016** As regards the diaconal ordination of those who intend to become members of the secular clergy, the proper bishop is the bishop of
the diocese in which the candidate has a domicile or the diocese to which he intends to devote himself; as regards the presbyteral ordination of secular clerics, the proper bishop is the bishop of the diocese into which the candidate has been incardinated through the diaconate.

**Can.** 1017 A bishop can confer orders outside his own jurisdiction only with the permission of the diocesan bishop.

**Can.** 1018 § 1. The following can grant dimissorial letters for the secular clergy: (1) the proper bishop mentioned in can. 1016; (2) an apostolic administrator and, with the consent of the college of consultors, the diocesan administrator; and with the consent of the council mentioned in can. 495, § 2, an apostolic pro-vicar and pro-prefect. § 2. A diocesan administrator, a pro-vicar apostolic, and a pro-prefect apostolic are not to grant dimissorial letters to those who have been denied access to orders by their diocesan bishop, vicar apostolic, or prefect apostolic.

**Can.** 1019 § 1. The major superior of a clerical religious institute of pontifical right or the major superior of a clerical society of apostolic life of pontifical right is competent to grant dimissorial letters for the diaconate and for the presbyterate on behalf of the subjects who have become perpetually or definitively members of the institute or society in accord with their constitutions. § 2. The ordination of all other members of any institute or society is governed by the law for seculars; any other indult whatsoever which has been granted to superiors is revoked.

**Can.** 1020 Dimissorial letters are not to be granted unless (nisi) all the testimonials and documents which are demanded by law in accord with cann. 1050 and 1051 have been obtained beforehand.

**Can.** 1021 Dimissorial letters can be sent to any bishop who is in communion with the Apostolic See with the exception of a bishop who is of a rite different from the rite of the candidate, which requires an apostolic indult.

**Can.** 1022 After he has received legitimate dimissorial letters, the ordaining bishop is not to proceed to the ordination unless (nisi) there is clear proof that they are genuine.

**Can.** 1023 Dimissorial letters can be circumscribed with restrictions or revoked by the one who granted them or his successor; but once they have
been granted, they do not cease to be operative when the authority of the one granting them ceases.

**Can. 1024** Only a baptized male validly receives sacred ordination.

**Can. 1025** § 1. In order for one to be ordained licitly to the presbyterate or to the diaconate, it is required: that the candidate having completed a period of probation according to the norm of law is endowed with the required qualities in the judgment of the proper bishop or competent major superior; that he is not restrained by any irregularity or by any impediment; that he has fulfilled the prerequisites according to the norms of cann. 1033-1039; in addition the documents mentioned in can. 1050 have been obtained, and the investigation mentioned in can. 1051 has been conducted. § 2. Furthermore, it is required that in the judgment of the same legitimate superior he is considered to be useful for the ministry of the Church. § 3. The bishop who ordains his own subject who is destined for the service of another diocese must be sure that the person to be ordained is going to be assigned to the other diocese.

**Can. 1026** In order for one to be ordained he ought to possess the required freedom; it is unlawful to force someone to receive orders or to deter one who is canonically suitable from receiving them by whatever means and for whatever reason.

**Can. 1027** Those who aspire to the diaconate or the presbyterate are to receive an accurate formation in accord with the norm of law.

**Can. 1028** The diocesan bishop or the competent superior is to see to it that candidates are duly instructed concerning those matters which pertain to the order to be received and its obligations before they are promoted to that order.

**Can. 1029** After all circumstances have been taken into account in the prudent judgment of the proper bishop or the competent major superior, only those should be promoted to orders who have an integral faith, are motivated by a right intention, possess the required knowledge, and enjoy a good reputation, good morals, and proven virtues, and other physical and psychological qualities which are appropriate to the order to be received.

**Can. 1030** Only for a canonical reason, even if it be occult, can the proper bishop or the competent major superior forbid access to the presbyterate to...
deacons destined for the presbyterate subject to them and with due regard for recourse in accord with the norm of law.

**Can. 1031 § 1.** The presbyterate is not to be conferred upon those who have not yet completed the age of twenty-five and who do not possess sufficient maturity; an interval of at least six months is to be observed between the diaconate and the presbyterate; men destined for the presbyterate are to be admitted to the order of diaconate only after they have completed the age of twenty-three. § 2. A candidate for the permanent diaconate who is not married is not to be admitted to the diaconate unless (nisi) he has completed at least twenty-five years of age; if the candidate is married, he is not to be admitted to the permanent diaconate unless (nonnisi) he has completed at least thirty-five years of age and has the consent of his wife. § 3. The conference of bishops may determine a norm by which an older age is required for the presbyterate and the permanent diaconate. § 4. The Apostolic See reserves to itself the dispensation from the age required in §§ 1 and 2 when it is a question of more than one year.

**Can. 1032 § 1.** Candidates for the presbyterate can be promoted to the diaconate only after they have completed a five-year curriculum of philosophical and theological studies. § 2. After he has completed the curriculum of studies and before he is promoted to the presbyterate, a deacon is to participate in pastoral care, exercising his diaconal order for a suitable period of time, to be determined by the bishop or by the competent major superior. § 3. An aspirant to the permanent diaconate is not to be promoted to that order unless (nisi) he has completed the time of formation.

**Can. 1033** One is licitly promoted to orders only if he has received the sacrament of confirmation.

**Can. 1034 § 1.** An aspirant to the diaconate or to the presbyterate is not to be ordained unless (nisi) he has first been inscribed as a candidate by the authority mentioned in cann. 1016 and 1019 in a liturgical rite of admission; this is done after he has submitted a signed petition written in his own hand and accepted in writing by the aforementioned authority. § 2. A man who has been admitted through vows to a clerical institute is not bound to obtain this type of admission.

**Can. 1035 § 1.** Before anyone is promoted to either the permanent or the transitional diaconate he is required to have received the ministries of lector
and acolyte and to have exercised them for a suitable period of time. § 2. Between the conferral of acolyte and diaconate, there is to be an interval of at least six months.

**Can. 1036** In order to be promoted to the order of diaconate or of presbyterate the candidate is to give to his own bishop or to the competent major superior a signed declaration written in his own hand, testifying that he is about to receive sacred orders of his own accord and freely and that he will devote himself perpetually to the ecclesiastical ministry; this declaration is also to contain his petition for admission to the reception of orders.

**Can. 1037** An unmarried candidate for the permanent diaconate and a candidate for the presbyterate is not to be admitted to the order of diaconate unless (nisi) in a prescribed rite he has assumed publicly before God and the Church the obligation of celibacy or professed perpetual vows in a religious institute.

**Can. 1038** A deacon who refuses to be promoted to the presbyterate cannot be forbidden the exercise of the order he has received unless (nisi) he is prevented from exercising it by a canonical impediment or some other serious cause to be evaluated in the judgment of the diocesan bishop or competent major superior.

**Can. 1039** All those who are to be promoted to some order are to make a retreat for at least five days in a place and in a manner determined by the ordinary; before he proceeds to the ordination, the bishop must be certain that the candidates have duly made this retreat.

**Can. 1040** Persons who are affected by a perpetual impediment, which is called an irregularity, or a simple impediment are prevented from receiving orders; the only impediments which can be contracted are contained in the following canons.

**Can. 1041** The following are irregular as regards the reception of orders: (1) a person who labors under some form of insanity or other psychic defect due to which, after consultation with experts, he is judged incapable of rightly carrying out the ministry; (2) a person who has committed the delict of apostasy, heresy or schism; (3) a person who has attempted marriage, even a civil one only, either while he was impeded from entering marriage due to an existing matrimonial bond, sacred orders or a public perpetual vow of chastity, or with a woman bound by a valid marriage or by the same type
of vow; (4) a person who has committed voluntary homicide or who has
procured an effective abortion and all persons who positively cooperated in
either; (5) a person who has seriously and maliciously mutilated himself or
another person or a person who has attempted suicide; (6) a person who
has performed an act of orders which has been reserved to those who are in
the order of episcopacy or presbyterate while the person either lacked that
order or had been forbidden its exercise by some declared or inflicted
canonical penalty.

**Can.** 1042 The following are simply impeded from receiving orders: (1) a
man who has a wife, unless (nisi) he is legitimately destined for the
permanent diaconate; (2) a person who holds an office or position of
administration which is forbidden to clerics by can. 285 and 286 and for which he must render an account until he becomes
free by relinquishing the office and position of administration and has
rendered an account of it; (3) a neophyte, unless (nisi) he has been
sufficiently proven in the judgment of the ordinary.

**Can.** 1043 The Christian faithful are obliged to reveal impediments to
sacred orders, if they know of any, to the ordinary or to the pastor
(parochus) before ordination.

**Can.** 1044 § 1. The following are irregular as regards the exercise of
orders already received: (1) a person who has illegitimately received orders
while he had an irregularity precluding his receiving orders; (2) a person
who has committed a delict mentioned in can. 1041, n. 2, if the delict is
public; (3) a person who has committed a delict mentioned in can. 1041, nn.
3, 4, 5, and 6. § 2. The following are impeded from exercising orders: (1) a
person who has illegitimately received orders while he was bound by an
impediment precluding his receiving orders; (2) a person who is afflicted
with insanity or some other psychic defect mentioned in can. 1041, n. 1,
until the time when the ordinary after consultation with an expert, permits
him the exercise of that order.

**Can.** 1045 Ignorance of the irregularities and impediments does not
exempt from them.

**Can.** 1046 Irregularities and impediments are multiplied when they arise
from different causes. They are not multiplied by the repetition of the same
cause except in the case of the irregularity arising from voluntary homicide or the effective procuring of an abortion.

**Can. 1047** § 1. A dispensation from all irregularities is reserved to the Apostolic See if the fact upon which they are based has been brought to the judicial forum. § 2. A dispensation from the following irregularities and impediments to receiving orders is also reserved to the Holy See: (1) from the irregularity arising from the public delict mentioned in can. 1041, nn. 2 and 3; (2) from the irregularity arising from the public or occult delict mentioned in can. 1041, n. 4; (3) from the impediment mentioned in can. 1042, n. 1. § 3. Also reserved to the Apostolic See is a dispensation from the irregularities precluding the exercise of an order already received which are mentioned in can. 1041, n. 3, but only in public cases, and in can. 1041, n. 4, even in occult cases. § 4. The ordinary can dispense from irregularities and impediments not reserved to the Holy See.

**Can. 1048** If, in more urgent occult cases access to the ordinary cannot be had or when it is a question of the irregularities mentioned in can. 1041, nn. 3 and 4, access to the Sacred Penitentiary cannot be had and if there is a danger of serious harm or infamy, the person who is impeded by an irregularity from exercising an order can exercise it, with due regard, however, for the responsibility of making recourse as soon as possible to the ordinary or the Sacred Penitentiary through a confessor and without mentioning the name of the person who has the irregularity.

**Can. 1049** § 1. In the petition to obtain a dispensation from irregularities and impediments, all the irregularities and impediments are to be indicated; nevertheless, general dispensation is valid even for those which have been omitted in good faith with the exception of the irregularities mention in can. 1041, n. 4, or others which have been brought to the judicial forum; however, a general dispensation is not valid for those which have been omitted in bad faith. § 2. If it is a question of the irregularity arising from voluntary homicide or from procuring an abortion the number of the delicts is also to be mentioned for the dispensation to be valid. § 3. A general dispensation from the irregularities and impediments to receive orders is valid for all the orders.

**Can. 1050** For one to be promoted to sacred orders the following documents are required: (1) certification that the studies prescribed by can. 1032, have been duly completed; (2) certification that the diaconate has
been received if it is a question of those to be ordained to the presbyterate; (3) certification that baptism and confirmation have been received and that the ministries mentioned in can. 1035 have been received if it is a question of those to be promoted to the diaconate; also, certification that the declaration mentioned in can. 1036 has been made; and, if the ordinand who is to be promoted to the permanent diaconate is married, certification of the marriage that was celebrated and of the wife's consent.

**Can. 1051** As regards the inquiry concerning the qualities required of an ordinand the following prescriptions are to be observed: (1) a testimonial is to be furnished by the rector of the seminary or the house of formation concerning the qualities required for the reception of orders; that is, the candidate's correct doctrine, genuine piety, good morals and his suitability for exercising the ministry; and, after a duly executed inquiry, the state of his physical and psychological health; (2) in order that the inquiry may be properly conducted, the diocesan bishop or the major superior can employ other means which seem useful in accord with the circumstances of time and place, for example testimonial letters, public announcements or other means for gaining information.

**Can. 1052 § 1.** In order for a bishop conferring an ordination in virtue of his own proper right to proceed to the ordination, he must be certain that the documents mentioned in can. 1050 have been furnished and that the suitability of the candidate has been proved through positive arguments after the inquiry has been conducted in accord with the norm of law. **§ 2.** In order for a bishop to proceed to the ordination of one who is not his own subject, it is sufficient that the dimissorial letters refer to the fact that such documents have been furnished, that the inquiry has been conducted in accord with the norm of law and that the suitability of the candidate has been proved; but if the candidate is a member of a religious institute or a society of apostolic life, the dimissorial letters must also certify that he has definitively become a member and that he is a subject of the superior who grants the letters. **§ 3.** If despite all the above considerations the bishop has certain reasons for doubting the suitability of the candidate for ordination, he is not to ordain him.

**Can. 1053 § 1.** After the ordination has been conferred, the names of those ordained and the ordaining minister, along with the place and date of the ordination, are to be noted in a special register which is to be carefully
kept in the curia of the place of ordination; all the documents for each ordination are also to be carefully preserved. § 2. The ordaining bishop is to give each of the ordained an authentic certificate of the ordination which was received; those who have been promoted through dimissorial letters by a bishop other than their own are to show this certificate to their own ordinary so that the registration of the ordination is recorded in the special register to be kept in the archives.

**Can. 1054** In the case of seculars the local ordinary and in the case of those who are subject to him the competent major superior, are to send notification of every ordination celebrated to the pastor (parochus) of the place where the ordained person has been baptized so that a notation may be made in the baptismal register according to the norm of can. 535, § 2.

**CODE OF**

**Can. LAW BOOK IV, PART ONE-B 1055-1165 (The Sacrament of Matrimony)**

**Can. 1055** § 1. The matrimonial covenant, by which a man and a woman establish between themselves a partnership of the whole of life, is by its nature ordered toward the good of the spouses and the procreation and education of offspring; this covenant between baptized persons has been raised by Christ the Lord to the dignity of a sacrament. § 2. For this reason a matrimonial contract cannot validly exist between baptized persons unless it is also a sacrament by that fact.

**Can. 1056** The essential properties of marriage are unity and indissolubility, which in Christian marriage obtain a special firmness in virtue of the sacrament.

**Can. 1057** § 1. Matrimony is brought about through the consent of the parties, legitimately manifested between persons who are capable according to law of giving consent; no human power can replace this consent. § 2. Matrimonial consent is an act of the will by which a man and a woman, through an irrevocable covenant, mutually give and accept each other in order to establish marriage.

**Can. 1058** All persons who are not prohibited by law can contract marriage.
**Can. 1059** Even if only one party is Catholic, the marriage of Catholics is regulated not only by divine law but also by canon law, with due regard for the competence of civil authority concerning the merely civil effects of such a marriage.

**Can. 1060** Marriage enjoys the favor of the law; consequently, when a doubt exists the validity of a marriage is to be upheld until the contrary is proven.

**Can. 1061** § 1. A valid marriage between baptized persons is called ratified only if it has not been consummated; it is called ratified and consummated if the parties have performed between themselves in a human manner the conjugal act which is per se suitable for the generation of children, to which marriage is ordered by its very nature and by which the spouses become one flesh. § 2. After marriage has been celebrated, if the spouses have cohabited consummation is presumed until the contrary is proven. § 3. An invalid marriage is called putative if it has been celebrated in good faith by at least one of the parties, until both parties become certain of its nullity.

**Can. 1062** § 1. A promise of marriage, be it unilateral or bilateral, called an engagement, is regulated by particular law which has been established by the conference of bishops after it has taken into consideration any existing customs and civil laws. § 2. A promise to marry does not give rise to an action to seek the celebration of marriage; an action for reparation of damages, however, does arise if it is warranted.

**Can. 1063** Pastors of souls are obliged to see to it that their own ecclesial community furnishes the Christian faithful assistance so that the matrimonial state is maintained in a Christian spirit and makes progress toward perfection. This assistance is especially to be furnished through: (1) preaching, catechesis adapted to minors, youths and adults, and even the use of the media of social communications so that through these means the Christian faithful may be instructed concerning the meaning of Christian marriage and the duty of Christian spouses and parents; (2) personal preparation for entering marriage so that through such preparation the parties may be predisposed toward the holiness and duties of their new state; (3) a fruitful liturgical celebration of marriage clarifying that the spouses signify and share in that mystery of unity and of fruitful love that exists between Christ and the Church; (4) assistance furnished to those
already married so that, while faithfully maintaining and protecting the conjugal covenant, they may day by day come to lead holier and fuller lives in their families.

**Can.** 1064 It is up to the local ordinary to make provisions that such assistance is duly organized, even after consulting men and women of proven experience and skill, if it seems appropriate.

**Can.** 1065 § 1. If they can do so without serious inconvenience, Catholics who have not yet received the sacrament of confirmation are to receive it before being admitted to marriage. § 2. It is strongly recommended that those to be married approach the sacraments of penance and the Most Holy Eucharist so that they may fruitfully receive the sacrament of marriage.

**Can.** 1066 Before marriage is celebrated, it must be evident that nothing stands in the way of its valid and licit celebration.

**Can.** 1067 The conference of bishops is to issue norms concerning the examination of the parties, and the marriage banns or other appropriate means for carrying out the necessary inquiries which are to precede marriage. The pastor (parochus) can proceed to assist at a marriage after such norms have been diligently observed.

**Can.** 1068 Unless (nisi) contrary indications are present, in danger of death, if other means of proof cannot be obtained, it is sufficient that the parties affirm -even under oath, if the case warrants it - that they have been baptized and that they are not held back by any impediment.

**Can.** 1069 All the faithful are obliged to reveal any impediments they are aware of to the pastor (parochus) or to the local ordinary before the celebration of marriage.

**Can.** 1070 If someone other than the pastor (parochus) who is to assist at the marriage has conducted the investigations, that person is to notify the pastor (parochus) of the results as soon as possible through an authentic document.

**Can.** 1071 § 1. Except in case of necessity, no one is to assist at the following marriages without the permission of the local ordinary: (1) the marriage of transients; (2) a marriage which cannot be recognized or celebrated in accord with the norm of civil law; (3) a marriage of a person who is bound by natural obligations toward another party or toward children,
arising from a prior union; (4) a marriage of a person who has notoriously rejected the Catholic faith; (5) a marriage of a person who is bound by a censure; (6) a marriage of a minor child when the parents are unaware of it or are reasonable opposed to it; (7) a marriage to be entered by means of a proxy, mentioned in can. 1105. § 2. The local ordinary is not to grant permission for assisting at the marriage of a person who has notoriously rejected the Catholic faith unless (nisi) the norms of can. 1125 have been observed, making any necessary adaptations.

**Can. 1072** Pastors of souls are to take care to prevent youths from celebrating marriage before the age at which marriage is usually contracted in accord with the accepted practice of the region.

**Can. 1073** A diriment impediment renders a person incapable of contracting marriage validly.

**Can. 1074** An impediment which can be proven in the external forum is considered to be a public impediment; otherwise, it is an occult impediment.

**Can. 1075** § 1. The supreme authority of the Church alone has the competency to declare authentically when divine law prohibits or voids a marriage. § 2. Only the supreme authority has the right to establish other impediments for the baptized.

**Can. 1076** A custom which introduces a new impediment or which is contrary to existing impediments is reprobated.

**Can. 1077** § 1. In a particular case the local ordinary can prohibit the marriage of his own subjects wherever they are staying and of all persons actually present in his own territory, but only for a time, for a serious cause and as long as that cause exists. § 2. Only the supreme authority of the Church can add an invalidating clause to a prohibition.

**Can. 1078** § 1. The local ordinary can dispense his own subjects wherever they are staying as well as all persons actually present in his own territory from all the impediments of ecclesiastical law with the exception of those impediments whose dispensation is reserved to the Apostolic See. § 2. A dispensation from the following impediments is reserved to the Apostolic See: (1) the impediment arising from sacred orders or from a public perpetual vow of chastity in a religious institute of pontifical right; (2) the impediment of crime mentioned in can. 1090. § 3. A dispensation is never
given from the impediment of consanguinity in the direct line or in the second degree of the collateral line.

**Can.** 1079 § 1. In urgent danger of death, the local ordinary can dispense his own subjects wherever they are staying as well as all persons who are actually present in his territory both from the form prescribed for the celebration of matrimony and from each and every impediment of ecclesiastical law, whether it be public or occult, except the impediment arising from sacred order of the presbyterate. § 2. In the same situation mentioned in § 1 and only for cases in which the local ordinary cannot be reached, the pastor (parochus), the properly delegated sacred minister and the priest or deacon who assists at matrimony in accord with the norm of can. 1116, § 2, also possess the faculty to dispense from the same impediments. § 3. In danger of death a confessor enjoys the faculty to dispense from occult impediments for the internal forum, whether within or outside the act of sacramental confession. § 4. In the case mentioned in § 2, the local ordinary is not considered to be accessible if he can be contacted only by means of telegraph or telephone.

**Can.** 1080 § 1. Whenever an impediment is discovered after all the wedding preparations are made and the marriage cannot be deferred without probable danger of serious harm until a dispensation can be obtained from competent authority, the following persons enjoy the faculty to dispense from all the impediments with the exception of the ones mentioned in can. 1078, § 2, n. 1: the local ordinary and, as long as the case is an occult one, all persons mentioned in can. 1079, §§ 2 and 3, observing the conditions prescribed in that canon. § 2. This power is also operative for the convalidation of a marriage if the same danger exists in delay and there is insufficient time to have recourse to the Apostolic See, or to the local ordinary concerning impediments from which he is able to dispense.

**Can.** 1081 The pastor (parochus) or the priest or deacon mentioned in can. 1079, § 2, is immediately to inform the local ordinary of a dispensation granted for the external forum; it is also to be recorded in the marriage register.

**Can.** 1082 Unless (nisi) a rescript from the Penitentiary states otherwise, a dispensation from an occult impediment granted in the internal non-sacramental forum is to be recorded in a book which is to be kept in the
secret archive of the curia; if the occult impediment becomes public later on, no other dispensation is necessary for the external forum.

**Can. 1083 § 1.** A man before he has completed his sixteenth year of age, and likewise a woman before she has completed her fourteenth year of age, cannot enter a valid marriage. § 2. It is within the power of the conference of bishops to establish an older age for the licit celebration of marriage.

**Can. 1084 § 1.** Antecedent and perpetual impotence to have intercourse, whether on the part of the man or of the woman, which is either absolute or relative, of its very nature invalidates marriage. § 2. If the impediment of impotence is doubtful, either by reason of a doubt of law or a doubt of fact, a marriage is neither to be impeded nor is it to be declared null as long as the doubt exists. § 3. Sterility neither prohibits nor invalidates marriage, with due regard for the prescription of can. 1098.

**Can. 1085 § 1.** A person who is held to the bond of a prior marriage, even if it has not been consummated, invalidly attempts marriage. § 2. Even if the prior marriage is invalid or dissolved for any reason whatsoever, it is not on that account permitted to contract another before the nullity or the dissolution of the prior marriage has been legitimately and certainly established.

**Can. 1086 § 1.** Marriage between two persons, one of whom is baptized in the Catholic Church or has been received into it and has not left it by means of a formal act, and the other of whom is non-baptized, is invalid. § 2. This impediment is not to be dispensed unless (nisi) the conditions mentioned in cann. 1125 and 1126 are fulfilled. § 3. If at the time the marriage was contracted one party was commonly considered to be baptized or the person’s baptism was doubted, the validity of the marriage is to be presumed in accord with the norm of can. 1060 until it is proven with certainty that one party was baptized and the other was not.

**Can. 1087** Persons who are in (major) holy orders invalidly attempt marriage.

**Can. 1088** Persons who are bound by a public perpetual vow of chastity in a religious institute invalidly attempt marriage.

**Can. 1089** No marriage can exist between a man and a woman abducted or at least detained for the purpose of contracting marriage with her, unless
( nisi) the woman of her own accord chooses marriage after she has been separated from her abductor and established in a place where she is safe and free.

**Can. 1090 § 1.** A person who for the purpose of entering marriage with a certain person has brought about the death of that person’s spouse or one's own spouse, invalidly attempted such a marriage. § 2. They also invalidly attempt marriage between themselves who have brought about the death of the spouse of one of them through mutual physical or moral cooperation.

**Can. 1091 § 1.** In the direct line of consanguinity, marriage is invalid between all ancestors and descendants, whether they be related legitimately or naturally. § 2. In the collateral line of consanguinity, marriage is invalid up to and including the fourth degree. § 3. The impediment of consanguinity is not multiplied. § 4. If there exists any doubt whether the parties are related through consanguinity in any degree of the direct line or in the second degree of the collateral line, marriage is never permitted.

**Can. 1092** Affinity in the direct line in any degree whatsoever invalidates matrimony.

**Can. 1093** The impediment of public propriety arises from an invalid marriage after common life has been established or from notorious and public concubinage; it invalidates marriage in the first degree of the direct line between the man and the blood relatives of the woman, and vice-versa.

**Can. 1094** They cannot validly contract marriage between themselves who are related in the direct line or in the second degree of the collateral line through a legal relationship arising from adoption.

**Can. 1095** They are incapable of contracting marriage: (1) who lack the sufficient use of reason; (2) who suffer from grave lack of discretion of judgment concerning essential matrimonial rights and duties which are to be mutually given and accepted; (3) who are not capable of assuming the essential obligations of matrimony due to causes of a psychic nature.

**Can. 1096 § 1.** For matrimonial consent to be valid it is necessary that the contracting parties at least not be ignorant that marriage is a permanent consortium between a man and a woman which is ordered toward the procreation of offspring by means of some sexual cooperation. § 2. Such ignorance is not presumed after puberty.
Can. 1097 § 1. Error concerning the person renders marriage invalid. § 2. Error concerning a quality of a person, even if such error is the cause of the contract, does not invalidate matrimony unless (nisi) this quality was directly and principally intended.

Can. 1098 A person contracts invalidly who enters marriage deceived by fraud, perpetrated to obtain consent, concerning some quality of the other party which of its very nature can seriously disturb the partnership of conjugal life.

Can. 1099 Error concerning the unity, indissolubility or sacramental dignity of matrimony does not vitiate matrimonial consent so long as it does not determine the will.

Can. 1100 The knowledge or opinion of the nullity of a marriage does not necessarily exclude matrimonial consent.

Can. 1101 § 1. The internal consent of the mind is presumed to be in agreement with the words or signs employed in celebrating matrimony. § 2. But if either or both parties through a positive act of the will should exclude marriage itself, some essential element or an essential property of marriage, it is invalidly contracted.

Can. 1102 § 1. Marriage based on a condition concerning the future cannot be contracted validly. § 2. Marriage based on a condition concerning the past or the present is valid or invalid, insofar as the subject matter of the condition exists or not. § 3. The condition mentioned in § 2 cannot be placed licitly without the written permission of the local ordinary.

Can. 1103 A marriage is invalid if it is entered into due to force or grave fear inflicted from outside the person, even when inflicted unintentionally, which is of such a type that the person is compelled to choose matrimony in order to be free from it.

Can. 1104 § 1. In order for marriage to be contracted validly, it is necessary that the contracting parties be present together, either in person or by proxy. § 2. Those to be married are to express their matrimonial consent in words; however, if they cannot speak, they are to express it by equivalent signs.

Can. 1105 § 1. In order for marriage to be entered validly by proxy, it is required that: (1) there be a special mandate to contract marriage with a
certain person; (2) the proxy be appointed by the person who gave the mandate and that the proxy fulfill this function in person. § 2. To be valid a mandate must be signed by the person who gave it as well as by the pastor (parochus) or the local ordinary where the mandate was issued, or by a priest delegated by either of these, or at least by two witnesses, or it must be arranged by means of a document which is authentic according to civil law. § 3. If the person giving the mandate cannot write, this is to be noted in the mandate itself and another witness is to be added who also must sign the document; otherwise, the mandate is invalid. § 4. If the person who gave the mandate revokes it or becomes insane before the proxy has contracted the marriage in that person's name, the marriage is invalid even though either the proxy or the other contracting party was unaware of these development.

Can. 1106 Marriage can be contracted through an interpreter; however, the pastor (parochus) is not to assist as such a marriage unless (nisi) he is convinced of the interpreter's trustworthiness.

Can. 1107 Even if a marriage was entered invalidly by reason of an impediment or defect of form, the consent which was furnished is presumed to continue until its revocation has been proved.

Can. 1108 § 1. Only those marriages are valid which are contracted in the presence of the local ordinary or the pastor (parochus) or a priest or deacon delegated by either of them, who assist, and in the presence of two witnesses, according to the rules expressed in the following canons, with due regard for the exceptions mentioned in cann. 144, 1112, § 1, 1116 and 1127, §§ 2 and 3. § 2. The one assisting at a marriage is understood to be only that person who, present at the ceremony, asks for the contractants' manifestation of consent and receives it in the name of the Church.

Can. 1109 Unless (nisi) through a sentence or decree they have been excommunicated, interdicted or suspended from office or declared such, in virtue of their office the local ordinary and the pastor (parochus) validly assist within the confines of their territory at the marriages of their subjects as well as of non-subjects provided (dummodo) one of the contractants is of the Latin rite.
**Can. 1110** In virtue of their office and within the limits of their jurisdiction an ordinary and a personal pastor (parochus) validly assist only at marriages involving at least one of their subjects.

**Can. 1111** § 1. As long as they validly hold office, the local ordinary and the pastor (parochus) can delegate to priests and deacons the faculty, even a general one, to assist at marriages within the limits of their territory. § 2. To be valid the delegation of the faculty to assist at marriages must be given expressly to specified persons; if it is a question of a special delegation, it is to be granted for a specific marriage; however, if it is a question of a general delegation, it is to be granted in writing.

**Can. 1112** § 1. With the prior favorable opinion of the conference of bishops and after the permission of the Holy See has been obtained, the diocesan bishop can delegate lay persons to assist at marriages where priests or deacons are lacking. § 2. A suitable lay person is to be chosen who is capable of giving instructions to those to be wed and qualified to perform the marriage liturgy correctly.

**Can. 1113** Before special delegation is granted, all the legal requirements for establishing freedom to marry are to have been fulfilled.

**Can. 1114** The person who assists at the celebration of a marriage acts illicitly unless (nisi) the freedom of the contracting parties has been established in accord with the norm of law and the permission of the pastor (parochus) has been obtained, if possible, when one is functioning in virtue of general delegation.

**Can. 1115** Marriages are to be celebrated in the parish where either of the contractants has a domicile, quasi-domicile or month-long residence; the marriages of transients are to be celebrated in the parish where they actually reside; marriages can be celebrated elsewhere with the permission of the proper ordinary or pastor (parochus).

**Can. 1116** § 1. If the presence of or access to a person who is competent to assist at marriage in accord with the norm of law is impossible without serious inconvenience, persons intending to enter a true marriage can validly and licitly contract it before witnesses alone: (1) in danger of death; (2) outside the danger of death, as long as it is prudently foreseen that such circumstances will continue for a month. § 2. In either case and with due regard for the validity of a marriage celebrated before witnesses alone, if
another priest or deacon who can be present is readily available, he must be called upon and must be present at the celebration of the marriage, along with the witnesses.

**Can. 1117** With due regard for the prescriptions of can. 1127, § 2, the form stated above is to be observed whenever at least one of the contractants was baptized in the Catholic Church or was received into it and has not left it by a formal act.

**Can. 1118** § 1. Marriage between Catholics or between a Catholic and a baptized non-Catholic party is to be celebrated in a parish church; with the permission of the local ordinary or the pastor (parochus), it can be celebrated in another church or oratory. § 2. The local ordinary can permit marriage to be celebrated in some other suitable place. § 3. Marriage between a Catholic party and a non-baptized party can be celebrated in a church or in some other suitable place.

**Can. 1119** Outside of a case of necessity, the rites prescribed in the liturgical books approved by the Church or received through legitimate customs are to be observed in the celebration of marriage.

**Can. 1120** The conference of bishops can draw up its own marriage ritual, to be reviewed by the Holy See; such a ritual, in harmony with the usages of the area and its people adapted to the Christian spirit, must provide that the person assisting at the marriage be present, ask for the manifestation of the contractants' consent and receive it.

**Can. 1121** § 1. After a marriage has been celebrated, the pastor (parochus) of the place of celebration of the person who takes his place, even if neither has assisted at the marriage, should as soon as possible note the following in the marriage register: the names of the spouses, the person who assisted and the witnesses, the place and date of the marriage celebration; these notations are to be made in accord with the method prescribed by the conference of bishops or the diocesan bishop. § 2. Whenever a marriage is contracted in accord with can. 1116, if a priest or deacon was present at the celebration he is bound to inform the pastor (parochus) or the local ordinary concerning the marriage entered as soon as possible; otherwise, the witnesses jointly with the contractants are bound to do so. § 3. If the marriage has been contracted with a dispensation from canonical form, the local ordinary who granted the dispensation is to see
that the dispensation and the celebration are inscribed in the marriage register at the curia and at the parish of the Catholic party whose pastor (parochus) made the investigation concerning their free state; the Catholic spouse is bound to inform the same ordinary and pastor (parochus) as soon as possible of the celebration of the marriage, the place of celebration and the public form that was observed.

**Can. 1122 § 1.** The contracted marriage is also to be noted in the baptismal register in which the baptism of the spouses has been inscribed. § 2. If the marriage was contracted in a parish where a spouse was not baptized, the pastor (parochus) of the place where it was celebrated is to send a notice of the contracted marriage as soon as possible to the pastor (parochus) where the baptism was conferred.

**Can. 1123** Whenever a marriage is convalidated in the external forum, is declared null or is legitimately dissolved other than by death, the pastor (parochus) of the place where it was celebrated must be informed so that a notation may be duly made in the marriage and baptismal registers.

**Can. 1124** Without the express permission of the competent authority, marriage is forbidden between two baptized persons, one of whom was baptized in the Catholic Church or received into after baptism and has not left it by a formal act, and the other of whom is a member of a church or ecclesial community which is not in full communion with the Catholic Church.

**Can. 1125** The local ordinary can grant this permission if there is a just and reasonable cause; he is not to grant it unless ( nisi) the following conditions have been fulfilled: (1) the Catholic party declares that he or she is prepared to remove dangers of falling away from the faith and makes a sincere promise to do all in his or her power to have all the children baptized and brought up in the Catholic Church; (2) the other party is to be informed at an appropriate time of these promises which the Catholic party has to make, so that it is clear that the other party is truly aware of the promise and obligation of the Catholic party; (3) both parties are to be instructed on the essential ends and properties of marriage, which are not to be excluded by either party.

**Can. 1126** The conference of bishops is to establish the way in which these declarations and promises, which are always required, are to be made,
what proof of them there should be in the external forum and how they are to be brought to the attention of the non-Catholic party.

**Can. 1127 § 1.** The prescriptions of can. 1108 are to be observed concerning the form to be employed in a mixed marriage; if a Catholic party contracts marriage with a non-Catholic of an oriental rite, the canonical form of celebration is to be observed only for liceity; for validity, however, the presence of a sacred minister is required along with the observance of the other requirements of law. § 2. If serious difficulties pose an obstacle to the observance of the canonical form, the local ordinary of the Catholic party has the right to dispense from the form in individual cases, but after consulting the ordinary of the place where the marriage is to be celebrated and with due regard, for validity, for some public form of celebration; the conference of bishops is to issue norms by which such a dispensation may be granted in an orderly manner. § 3. Before or after the canonical celebration held in accord with the norm of § 1, it is forbidden to have another religious celebration of the same marriage to express or renew matrimonial consent; it is likewise forbidden to have a religious celebration in which a Catholic and a non-Catholic minister, assisting together but following their respective rituals, ask for the consent of the parties.

**Can. 1128** Local ordinaries and other pastors of souls are to see to it that the Catholic spouse and the children born of a mixed marriage do not lack spiritual assistance in fulfilling their obligations and are to aid the spouses in fostering the unity of conjugal and family life.

**Can. 1129** The prescriptions of cann. 1127 and 1128 are also to be applied to marriages involving the impediment of disparity of cult mentioned in can. 1086, § 1. Can. 1130 For a serious and urgent reason the local ordinary can permit a marriage to be celebrated secretly.

**Can. 1131** The permission to celebrate a marriage secretly also includes: (1) permission that the pre-matrimonial investigation be made secretly; (2) the obligation that secrecy concerning the marriage be observed by the local ordinary, the assisting minister, the witnesses and the spouses.

**Can. 1132** The obligation to observe secrecy mentioned in can. 1131, n. 2, ceases on the part of the local ordinary if serious scandal or serious harm to the sanctity of marriage is threatened by observing the secret and this is to be made known to the parties before the celebration of the marriage.
Can. 1133 A marriage celebrated secretly is to be noted only in the special register which is to be kept in the secret archive of the curia.

Can. 1134 From a valid marriage arises a bond between the spouses which by its very nature is perpetual and exclusive; furthermore, in a Christian marriage the spouses are strengthened and, as it were, consecrated for the duties and the dignity of their state by a special sacrament.

Can. 1135 Each of the spouses has equal obligations and rights to those things which pertain to the partnership of conjugal life.

Can. 1136 Parents have the most serious duty and the primary right to do all in their power to see to the physical, social, cultural, moral and religious upbringing of their children.

Can. 1137 Children conceived or born of a valid or putative marriage are legitimate.

Can. 1138 § 1. The father is he whom a lawful marriage indicates unless (nisi) evident arguments prove otherwise. § 2. Children are presumed to be legitimate if they are born at least 180 days after the celebration of the marriage or within 300 days from the date when conjugal life was terminated.

Can. 1139 Illegitimate children are rendered legitimate through the subsequent valid or putative marriage of their parents, or through a rescript of the Holy See.

Can. 1140 Insofar as canonical effects are concerned, legitimized children are equivalent in everything to legitimate children unless (nisi) the law expressly states otherwise.

Can. 1141 A ratified and consummated marriage cannot be dissolved by any human power or for any reason other than death.

Can. 1142 A non-consummated marriage between baptized persons or between a baptized party and non-baptized party can be dissolved by the Roman Pontiff for a just cause, at the request of both parties or of one of the parties, even if the other party is unwilling.

Can. 1143 § 1. A marriage entered by two non-baptized persons is dissolved by means of the pauline privilege in favor of the faith of a party
who has received baptism by the very fact that a new marriage is contracted by the party who has been baptized, provided (dummodo) the non-baptized party departs. § 2. The non-baptized party is considered to have departed if he or she does not wish to cohabit with the baptized party or does not wish to cohabit in peace without insult to the Creator unless (nisi), after receiving baptism, the baptized party gave the other party a just cause for departure.

**Can. 1144** § 1. In order for the baptized party to contract a new marriage validly, the non-baptized party must always be interrogated on the following points: (1) whether he or she also wishes to receive baptism; (2) whether he or she at least wishes to cohabit in peace with the baptized party without insult to the Creator. § 2. This interrogation must take place after baptism; for a serious reason, however, the local ordinary can permit this interrogation to take place before the baptism, or even dispense from this interrogation either before or after the baptism, provided (dummodo) it is evident in light of at least a summary and extrajudicial process that it cannot take place or that it would be useless.

**Can. 1145** § 1. As a rule, the interrogation is to take place on the authority of the local ordinary of the converted party; if the other spouse asks for a period of time during which to answer, the same ordinary is to grant it while warning the party that after this period has elapsed without any answer, the person's silence will be considered to be a negative answer. § 2. An interrogation carried out privately by the converted party is also valid and is indeed licit if the form prescribed above cannot be observed. § 3. In either case the fact that the interrogation took place and its outcome must legitimately be evident in the external forum.

**Can. 1146** The baptized party has the right to contract a new marriage with a Catholic party: (1) if the other party answered negatively to the interrogation or if the interrogation has been legitimately omitted; (2) if the non-baptized party, interrogated or not, at first peacefully cohabited without insult to the Creator but afterwards departed without a just cause, with due regard for the prescriptions of cann. 1144 and 1145.

**Can. 1147** For a serious cause the local ordinary can permit the baptized party who employs the pauline privilege to contract marriage with a non-Catholic party, whether baptized or not, while observing the prescriptions of the canons of mixed marriages.
Can. 1148 § 1. After he has received baptism in the Catholic Church, a previously non-baptized man who simultaneously has several non-baptized wives can keep one of them as his wife while dismissing the others if it is difficult for him to remain with the first. The same is true for a non-baptized woman who simultaneously has several non-baptized husbands. § 2. In the situations mentioned in § 1, marriage is to be contracted according to the legitimate form after the reception of baptism, while observing the prescriptions on mixed marriages if necessary, as well as the other requirements of law. § 3. After considering the moral, social and economic situation of the area and of the persons, the local ordinary is to take care that sufficient provision is made in accord with the norms of justice, Christian charity and natural equity for the needs of the first wife and of the other wives who are dismissed.

Can. 1149 A non-baptized person who, once having received baptism in the Catholic Church, cannot restore cohabitation with a non-baptized spouse due to captivity or persecution can contract another marriage even if the other party received baptism in the meantime, with due regard for the prescription of can. 1141.

Can. 1150 In a doubtful matter the privilege of the faith enjoys the favor of the law.

Can. 1151 Spouses have the duty and the right to preserve conjugal living unless (nisi) a legitimate cause excuses them.

Can. 1152 § 1. Although it is earnestly recommended that a spouse, moved by Christian charity and a concern for the good of the family, not refuse pardon to an adulterous partner and not break up conjugal life, nevertheless, if the spouse has not expressly or tacitly condoned the misdeed of the other spouse, the former does have the right to sever conjugal living, unless (nisi) he or she consented to the adultery, gave cause for it, or likewise committed adultery. § 2. Tacit condonation exists if the innocent spouse, after having become aware of the adultery, continued voluntarily to live with the other spouse in marital affection. Tacit condonation is presumed if the innocent spouse continued conjugal living for a period of six months and has not had recourse to ecclesiastical or civil authority. § 3. If the innocent spouse spontaneously severed conjugal living, that spouse within six months is to bring a suit for separation before the competent ecclesiastical authority; this authority, after having investigated
all the circumstances, is to decide whether the innocent spouse can be induced to forgive the misdeed and not to prolong the separation permanently.

**Can. 1153** § 1. If either of the spouses causes serious danger of spirit or body to the other spouse or to the children, or otherwise renders common life too hard, that spouse gives the other a legitimate cause for separating in virtue of a decree of the local ordinary, or even on his or her own authority if there is danger in delay. § 2. In all cases, when the reason for the separation ceases to exist, conjugal living is to be restored unless ( nisi) ecclesiastical authority decides otherwise.

**Can. 1154** After the separation of the spouses, suitable provision is to be made for the adequate support and education of the children.

**Can. 1155** The innocent spouse can laudably readmit the other spouse to conjugal life, in which case the former renounces the right to separate.

**Can. 1156** § 1. To convalidate a marriage which is invalid due to a diriment impediment, it is required that the impediment cease or that it be dispensed and that at least the party who is aware of the impediment renew consent. § 2. This renewal of consent is required by ecclesiastical law for the validity of the convalidation even if both parties furnished consent at the beginning and have not revoked it later.

**Can. 1157** The renewal of consent must be a new act of the will concerning a marriage which the person who is renewing consent knows or thinks was null from the beginning.

**Can. 1158** § 1. If the impediment is a public one, the consent is to be renewed by both parties according to the canonical form, with due regard for the prescription of can. 1127, § 2. § 2. If the impediment cannot be proven to exist, it is sufficient that the consent be renewed privately and in secret by the party who is aware of the impediment, provided ( dummodo) the other party perseveres in the consent already given, or by both parties when each of them knows about the impediment.

**Can. 1159** § 1. A marriage which is invalid due to a defect of consent is convalidated when the party who had not consented now gives consent, provided ( dummodo) the consent given by the other party still exists. § 2. If the defect of consent cannot be proven it is sufficient that the party who did
not consent gives consent privately and in secret. § 3. If the defect of consent can be proven it is necessary that the consent be given according to the canonical form.

**Can.** 1160 With due regard for the prescription of can. 1127, § 2, marriage which is invalid due to a defect of form must be contracted anew according to canonical form in order to become valid.

**Can.** 1161 § 1. The radical sanation of an invalid marriage is its convalidation without the renewal of consent, granted by competent authority and including a dispensation from an impediment, if there was one, and from the canonical form, if it was not observed, and the retroactivity into the past of canonical effects. § 2. The convalidation occurs at the moment the favor is granted; it is understood to be retroactive, however, to the moment the marriage was celebrated unless (nisi) something else is expressly stated. § 3. A radical sanation is not to be granted unless (nisi) it is probably that the parties intend to persevere in conjugal life.

**Can.** 1162 § 1. A marriage cannot be radically sanated if consent is lacking in either or both of the parties, whether the consent was lacking from the beginning or was given in the beginning but afterwards revoked. § 2. If, however, consent was indeed lacking in the beginning but afterwards was given, a sanation can be granted from the moment the consent was given.

**Can.** 1163 § 1. A marriage which is invalid due to an impediment or due to defect of legitimate form can be sanated provided (dummodo) the consent of each party continues to exist. § 2. A marriage which is invalid due to an impediment of the natural law or of divine positive law can be sanated only after the impediment has ceased to exist.

**Can.** 1164 A sanation can be granted validly even when one or both of the parties are unaware of it, but it is not to be granted except (nisi) for serious reason.

**Can.** 1165 § 1. Radical sanation can be granted by the Apostolic See. § 2. In individual cases radical sanation can be granted by the diocesan bishop, even if several reasons for nullity exist in the same marriage, provided the conditions mentioned in can. 1125 concerning the sanation of a mixed marriage are fulfilled. The diocesan bishop cannot grant radical sanation, however, if there is present an impediment who dispensation is reserved to
the Apostolic See in accord with can. 1078, § 2, or if it is a question of an impediment of the natural law or of the divine positive law which has ceased to exist.

PARTS II OTHER ACTS OF DIVINE WORSHIP AND SACRED TIMES AND PLACES

**Can. 1166** Somewhat in imitation of the sacraments, sacramentals are sacred signs by which spiritual effects especially are signified and are obtained by the intercession of the Church.

**Can. 1167** § 1. The Apostolic See alone can establish new sacramentals, authentically interpret those already accepted, abolish or change any of them. § 2. The rites and formulae approved by church authority are to be carefully observed in confecting or administering the sacramentals.

**Can. 1168** The minister of the sacramentals is a cleric who has been given the necessary power; in accord with the norm of the liturgical books and according to the judgment of the local ordinary, some sacramentals can also be administered by lay persons who are endowed with the appropriate qualities.

**Can. 1169** § 1. Persons who possess the episcopal character as well as presbyters to whom it is permitted by law or by legitimate concession can validly perform consecrations and dedications. § 2. Any presbyter can impart blessings, except those which are reserved to the Roman Pontiff or to bishops. § 3. A deacon can impart only those blessings which are expressly permitted to him by law.

**Can. 1170** Blessings, to be imparted especially to Catholics, can also be given to catechumens and even to non-Catholics unless (nisi) a church prohibition precludes this.

**Can. 1171** Sacred things which are destined for divine worship through dedication or a blessing are to be treated with reverence and not be employed for improper or profane use even if they are under the control of private individuals.

**Can. 1172** § 1. No one can legitimately perform (extra-liturgical) exorcisms over the possessed unless (nisi) he has obtained special and express permission from the local ordinary. § 2. Such permission from the local ordinary is to be granted only to a presbyter endowed with piety, knowledge, prudence and integrity of life.
Can. 1173 The Church, fulfilling the priestly function of Christ, celebrates the liturgy of the hours, whereby hearing God speaking to His people and memorializing the mystery of salvation, the Church praises Him in song and prayer without interruption and intercedes for the salvation of the whole world.

Can. 1174 § 1. Clerics are obliged to perform the liturgy of the hours according to the norm of can. 276, § 2, n. 3; members of institutes of consecrated life and societies of apostolic life are bound according to the norm of their constitutions. § 2. Other members of the Christian faithful according to circumstances are also earnestly invited to participate in the liturgy of the hours inasmuch as it is the action of the Church.

Can. 1175 In performing the liturgy of the hours the true time of each hour is to be observed as much as possible.

Can. 1176 § 1. The Christian faithful departed are to be given ecclesiastical funeral rites according to the norm of law. § 2. Through ecclesiastical funeral rites the Church asks spiritual assistance for the departed, honors their bodies, and at the same time brings the solace of hope to the living; such rites are to be celebrated according to the norm of liturgical laws. § 3. The Church earnestly recommends that the pious custom of burying the bodies of the dead be observed; it does not, however, forbid cremation unless ( nisi) it has been chosen for reasons which are contrary to Christian teaching.

Can. 1177 § 1. As a rule the funeral rites for any of the faithful departed must be celebrated in his or her own parish church. § 2. However, any member of the Christian faithful or those commissioned to arrange for his or her funeral may choose another church for the funeral rites with the consent of its rector and after informing the departed person's pastor (parochus). § 3. If the death has occurred outside the person's own parish, and the corpse has not been transferred to that parish and another church has not been legitimately chosen for the funeral, the funeral rites are to be celebrated in the church of the parish where the death occurred unless ( nisi) another church has been designated by particular law.

Can. 1178 The funeral rites of a diocesan bishop are to be celebrated in his own cathedral church unless ( nisi) he has chosen another church.
Can. 1179 As a rule the funeral rites of religious or members of societies of apostolic life are to be celebrated in this own church or oratory by their superior if it is a clerical institute or society, otherwise by the chaplain.

Can. 1180 § 1. If a parish has its own cemetery, the faithful departed are to be interred in it unless (nisi) another cemetery has been legitimately chosen either by the departed person or by those who are responsible to arrange for his or her interment. § 2. However, everyone, unless (nisi) prohibited by law, is permitted to choose a (particular) cemetery for burial.

Can. 1181 The prescriptions of can. 1264 are to be observed in regard to the offerings given on the occasion of funerals; precautions are nevertheless to be taken in funeral rites against any favoritism toward persons and against depriving the poor of the funeral rites which are their due.

Can. 1182 After the interment an entry is to be made in the death register in accord with the norm of particular law.

Can. 1183 § 1. As regards funeral rites catechumens are to be considered members of the Christian faithful. § 2. The local ordinary can permit children to be given ecclesiastical funeral rites if their parents intended to baptize them but they died before their baptism. § 3. In the prudent judgment of the local ordinary, ecclesiastical funeral rites can be granted to baptized members of some non-Catholic church or ecclesial community unless (nisi) it is evidently contrary to their will and provided (dummodo) their own minister is unavailable.

Can. 1184 § 1. Unless (nisi) they have given some signs of repentance before their death, the following are to be deprived of ecclesiastical funeral rites: (1) notorious apostates, heretics and schismatics; (2) persons who had chosen the cremation of their own bodies for reasons opposed to the Christian faith; (3) other manifest sinners for whom ecclesiastical funeral rites cannot be granted without public scandal to the faithful. § 2. If some doubt should arise, the local ordinary is to be consulted; and his judgment is to be followed.

Can. 1185 Any funeral Mass whatsoever is also to be denied a person excluded from ecclesiastical funeral rites.

Can. 1186 To foster the sanctification of the people of God the Church recommends to the particular and filial veneration of the Christian faithful
the Blessed Mary ever Virgin, the Mother of God, whom Christ established as the Mother of the human race; it also promotes true and authentic devotion to the other saints by whose example the Christian faithful are edified and through whose intercession they are sustained.

**Can. 1187** Veneration through public cult is permitted only to those servants of God who are listed in the catalog of the saints or of the blessed by the authority of the Church.

**Can. 1188** The practice of displaying sacred images in the churches for the veneration of the faithful is to remain in force; nevertheless they are to be exhibited in moderate number and in suitable order lest they bewilder the Christian people and give opportunity for questionable devotion.

**Can. 1189** Whenever valuable images, that is, those which are outstanding due to age, art or cult, which are exhibited in churches or oratories for the veneration of the faithful need repair, they are never to be restored without the written permission of the ordinary who is to consult experts before he grants permission.

**Can. 1190** § 1. It is absolutely forbidden to sell sacred relics. § 2. Significant relics or other ones which are honored with great veneration by the people cannot in any manner be validly alienated or perpetually transferred without the permission of the Apostolic See. § 3. The prescription of § 2 is also applicable to images in any church which are honored with great veneration by the people.

**Can. 1191** § 1. A vow is a deliberate and free promise made to God concerning a possible and better good which must be fulfilled by reason of the virtue of religion. § 2. Unless (nisi) they are forbidden by law, all who have the suitable use of reason are capable of making a vow. § 3. A vow made through grave and unjust fear or fraud is null by the law itself.

**Can. 1192** § 1. A vow is public if it is accepted in the name of the Church by a legitimate superior; otherwise, it is private. § 2. A vow is solemn if it is acknowledged as such by the Church; otherwise, it is simple. § 3. A vow is personal if an act of the vowing person is promised; it is real if something is promised; it is mixed if it shares the nature of a personal and real vow.

**Can. 1193** By its nature a vow obligates only the person who makes it.
**Can.** 1194 A vow ceases when the time appointed for the fulfillment of its obligation has passed, when there is a substantial change in the matter promised or when the condition on which the vow depends or the purpose for which it was made no longer exists; it also ceases through dispensation or commutation.

**Can.** 1195 A person who has power over the matter of the vow can suspend its obligation for as long as its fulfillment would prejudice such a person.

**Can.** 1196 Besides the Roman Pontiff, the following persons can dispense from private vows for a just reason provided (dummodo) a dispensation does not injure a right acquired by others: (1) the local ordinary and the pastor (parochus) as regards all their own subjects as well as travelers; (2) the superior of a religious institute or society of apostolic life if they are clerical of pontifical right as regards members, novices, and persons who stay day and night in a house of the institute or society; (3) persons to whom the power of dispensation has been delegated by the Apostolic See or by the local ordinary.

**Can.** 1197 The work promised in a private vow can be commuted to a great or an equal good by the person who makes the vow; however, a person who has the power of dispensation according to the norm of can. 1196 can commute it to a lesser good.

**Can.** 1198 Vows made before religious profession are suspended as long as the person who makes the vow remains in a religious institute.

**Can.** 1199 § 1. An oath, that is the invocation of the divine name as a witness to truth, cannot be taken unless (nisi) in truth, in judgment and in justice. § 2. An oath which the canons demand or admit cannot be taken validly through a proxy.

**Can.** 1200 § 1. A person who freely swears to do something in the future is bound by a special obligation of religion to fulfill what has been affirmed by oath. § 2. An oath extorted through fraud, force, or grave fear is null by the law itself.

**Can.** 1201 § 1. A promissory oath follows the nature and the condition of the act to which it is attached. § 2. If an oath is attached to an act which
directly tends towards the injury of others or towards the prejudice of the public good or of eternal salvation, the act is not reinforced by the oath.

**Can.** 1202 The obligation arising from a promissory oath ceases: (1) if it is remitted by the person for whose advantage the oath has been taken; (2) if the thing sworn to is substantially changed or if, due to changed circumstances, it becomes either evil or entirely indifferent or, finally, if it would impede a great good; (3) if the final purpose for or condition under which the oath may have been taken no longer exists; (4) through its dispensation or commutation in accord with the norm of can. 1203.

**Can.** 1203 The persons who can suspend, dispense or commute a vow have the same power over a promissory oath for the same reasons; but if the dispensation from the oath tends to prejudice others who refuse to remit its obligation, only the Apostolic See can dispense the oath.

**Can.** 1204 An oath is to be strictly interpreted according to the law and the intention of the person taking the oath, or if that person acts out of fraud, according to the intention of the person to whom the oath is made.

**PARTS III**

**Can.** 1205 Sacred places are those which have been designated for divine worship or for the burial of the faithful through a dedication or blessing which the liturgical books prescribe for this purpose.

**Can.** 1206 The dedication of any place is within the competency of the diocesan bishop and those who are equivalent to him in law; they can commission any bishop or, in exceptional cases, a presbyter to perform a dedication within their own territory.

**Can.** 1207 Sacred places are blessed by an ordinary; the blessing of churches, however, is reserved to the diocesan bishop; but either one of these can delegate another priest for this purpose.

**Can.** 1208 A document is to be drawn up attesting that the dedication or blessing of a church or the blessing of a cemetery has been performed; one copy is to be kept in the diocesan curia and another copy in the church’s archive.
Can. 1209 Provided no one suffers damage from it, the dedication or blessing of any place is sufficiently proven even through one witness who is above all suspicion.

Can. 1210 Only those things which serve the exercise or promotion of worship, piety and religion are to be admitted into a sacred place; anything which is not in accord with the holiness of the place is forbidden. The ordinary, however, can permit other uses which are not contrary to the holiness of place, in individual instances.

Can. 1211 Sacred places are violated through seriously harmful actions posited in them which scandalize the faithful and are so serious and contrary to the holiness of the place, in the judgment of the local ordinary, that it is not licit to perform acts of worship in them until the harm is repaired through a penitential rite in accord with the norm of the liturgical books.

Can. 1212 Sacred places lose their dedication or blessing if they suffer major destruction or if they have been permanently given over to profane uses, de facto or through a decree of the competent ordinary.

Can. 1213 Ecclesiastical authority freely exercises its powers and functions in sacred places.

Can. 1214 The term church signifies a sacred building destined for divine worship to which the faithful have a right of access for divine worship, especially its public exercise.

Can. 1215 § 1. No church is to be built without the expressed written consent of the diocesan bishop. § 2. The diocesan bishop is not to furnish this consent unless (nisi) he judges that a new church could serve the good of souls and that the means necessary for building the church and for divine worship would not be lacking in the future; he is to make this judgment after listening to the presbyteral council and the rectors of neighboring churches. § 3. Even religious institutes must obtain the permission of the diocesan bishop before they build a church in a certain and determined place even if they have received the consent of the diocesan bishop to establish a new house in the diocese or city.

Can. 1216 The principles and norms of the liturgy and of sacred art are to be observed in the building and repair of churches; the advice of experts is also to be employed.
Can. 1217 § 1. As soon as its construction is properly completed, a new church is to be dedicated or at least blessed as soon as possible, observing the laws of the sacred liturgy. § 2. Churches, especially cathedral and parochial churches, are to be dedicated with a solemn rite.

Can. 1218 Each church is to have its title which cannot be changed after its dedication.

Can. 1219 All acts of divine worship can be performed in a church legitimately dedicated or blessed, with due regard for parochial rights.

Can. 1220 § 1. All whose concern it is are to take care that such cleanliness and propriety is preserved in churches as befits the house of God and that anything which is out of keeping with the sanctity of the place is precluded. § 2. Ordinary concern for preservation and appropriate security measures are to be used to protect sacred and precious goods.

Can. 1221 Entrance to a church during the time of sacred celebrations is to be free and gratuitous.

Can. 1222 § 1. If a church can in no way be employed for divine worship and it is impossible to repair it, it can be relegated to profane but not sordid use by the diocesan bishop. § 2. Where other serious reasons suggest that a church no longer be used for divine worship the diocesan bishop, after hearing the presbyteral council, can relegate it to profane but not sordid use with the consent of those who legitimately claim rights regarding the church and as long as the good of souls is not thereby impaired.

Can. 1223 The term oratory signifies a place designated by permission of the ordinary for divine worship for the benefit of some community or assembly of the faithful who gather there; other members of the faithful may also have access to it with the consent of the competent superior.

Can. 1224 § 1. The ordinary is not to grant the permission required to establish an oratory unless (nisi) he first visits the place destined for the oratory himself or through another and finds it suitably constructed. § 2. Once this permission is granted, however, the oratory cannot be converted to profane uses without the authority of the same ordinary.

Can. 1225 All sacred celebrations can be carried out in oratories legitimately established unless (nisi) liturgical norms prevent this or the law or a prescription of the local ordinary has made certain exceptions.
Can. 1226 The term private chapel signifies a place designated for divine worship for the advantage of one or several physical persons with the permission of the local ordinary.

Can. 1227 Bishops can establish for themselves a private chapel which enjoys the same rights as an oratory.

Can. 1228 With due regard for the prescription of can. 1227, the permission of the local ordinary is required for Mass and other sacred celebrations to take place in a private chapel.

Can. 1229 It is fitting that oratories and private chapels be blessed according to the rite prescribed in the liturgical books; they must, however, be reserved only for divine worship and be free from all domestic uses.

Can. 1230 The term shrine signifies a church or other sacred place to which the faithful make pilgrimages for a particular pious reason with the approval of the local ordinary.

Can. 1231 For a shrine to be called a national one, the conference of bishops must approve; for it to be called an international one, the Holy See must approve.

Can. 1232 § 1. The local ordinary is competent to approve the statues of a diocesan shrine; the conference of bishops for a national shrine; the Holy See alone for an international shrine. § 2. These statutes are to determine especially the purpose of the shrine, the authority of its rector and the ownership and administration of goods.

Can. 1233 Certain privileges can be granted to shrines as often as local circumstances, the large number of pilgrims and especially the good of the faithful seem to suggest it.

Can. 1234 § 1. At shrines more abundant means of salvation are to be provided the faithful; the word of God is to be carefully proclaimed; liturgical life is to be appropriately fostered especially the celebration of the Eucharist and penance; and approved forms of popular piety are to be cultivated. § 2. Votive gifts of popular art and piety are to be displayed in shrines or adjacent places and kept secure.

Can. 1235 § 1. An altar or a table on which the Eucharistic Sacrifice is celebrated is said to be fixed if it is so constructed that it is joined to the
floor and therefore cannot be moved; it is movable if it can be transferred. §
2. It is fitting that there be a fixed altar in every church; in other places
designated for sacred celebration, a fixed altar or a movable altar.

Can. 1236 § 1. According to church custom the table of a fixed altar is to
be of stone, in fact of a single natural stone, nevertheless, even another
material, worthy and solid, in the judgment of the conference of bishops also
can be used. The supports or the foundation can be made of any material. §
2. A movable altar can be constructed from any solid material appropriate
for liturgical use.

Can. 1237 § 1. Fixed altars are to be dedicated; movable altars, however,
are to be dedicated or blessed according to the rites prescribed in the
liturgical books. § 2. The ancient tradition of keeping the relics of martyrs
and other saints under a fixed altar is to be preserved according to the
norms given in the liturgical books.

Can. 1238 § 1. An altar loses its dedication or blessing according to the
norm of can. 1212. § 2. Altars, be they fixed or movable, do not lose their
dedication or blessing through the reduction of a church or other sacred
place to profane uses.

Can. 1239 § 1. Both a fixed and a movable altar are to be reserved
exclusively for divine worship and entirely exempt from profane use. § 2. No
corpse may be buried beneath the altar; otherwise Mass may not be
celebrated on it.

Can. 1240 § 1. The Church is to have its own cemeteries wherever this
can be done, or at least spaces in civil cemeteries destined for the faithful
departed and properly blessed. § 2. If however, this cannot be achieved,
individual graves are to be properly blessed as often as needed.

Can. 1241 § 1. Parishes and religious institutions can have their own
cemetery. § 2. Other juridic persons or families can also have their own
particular cemetery or burial place to be blessed according to the judgment
of the local ordinary.

Can. 1242 Corpses are not to be buried in churches unless ( nisi) it is a
question of interring in their proper church the Roman Pontiff, cardinals or
diocesan bishops, even those who are retired.
Can. 1243 Particular law is to determine appropriate norms on the discipline to be observed in cemeteries, especially regarding the protecting and fostering of their sacred character.

Can. 1244 § 1. It is within the competence of the supreme ecclesiastical authority alone to establish, transfer or abolish feast days or days of penance which are common to the universal Church, with due regard for the prescription of can. 1246, § 2. § 2. Diocesan bishops can determine special feast days or days of penance for their dioceses or places but only per modum actus.

Can. 1245 With due regard for the right of diocesan bishops which is mentioned in can. 87, for a just reason and in accord with the prescriptions of the diocesan bishop, the pastor (parochus) in individual cases can dispense from the obligation to observe a feast day or a day of penance; or he can commute it to other pious works; the superior of a religious institute or a society of apostolic life of pontifical right if they are clerical can also do the same for his own subjects and others staying in his house day and night.

Can. 1246 § 1. Sunday is the day on which the paschal mystery is celebrated in light of the apostolic tradition and is to be observed as the foremost holy day of obligation in the universal Church. Also to be observed are Christmas, the Epiphany, the Ascension and Corpus Christi, Holy Mary Mother of God and her Immaculate Conception and Assumption, Saint Joseph, the Apostles Saints Peter and Paul, and finally, All Saints. § 2. However, the conference of bishops can abolish certain holy days of obligation or transfer them to a Sunday with prior approval of the Apostolic See.

Can. 1247 On Sundays and other holy days of obligation the faithful are bound to participate in the Mass; they are also to abstain from those labors and business concerns which impede the worship to be rendered to God, the joy which is proper to the Lord’s Day, or the proper relaxation of mind and body.

Can. 1248 § 1. The precept of participating in the Mass is satisfied by assistance at a Mass which is celebrated anywhere in a Catholic rite either on the holy day or on the evening of the preceding day. § 2. If because of lack of a sacred minister or for other grave cause participation in the celebration of the Eucharist is impossible, it is specially recommended that the faithful
take part in the liturgy of the word if it is celebrated in the parish church or in another sacred place according to the prescriptions of the diocesan bishop, or engage in prayer for an appropriate amount of time personally or in a family or, as occasion offers, in groups of families.

**Can.** 1249 All members of the Christian faithful in their own way are bound to do penance in virtue of divine law; in order that all may be joined in a common observance of penance, penitential days are prescribed in which the Christian faithful in a special way pray, exercise works of piety and charity, and deny themselves by fulfilling their responsibilities more faithfully and especially by observing fast and abstinence according to the norm of the following canons.

**Can.** 1250 All Fridays through the year and the time of Lent are penitential days and time throughout the universal Church.

**Can.** 1251 Abstinence from eating meat or another food according to the prescriptions of the conference of bishops is to be observed on Fridays throughout the year unless (nisi) they are solemnities; abstinence and fast are to be observed on Ash Wednesday and on the Friday of the Passion and Death of Our Lord Jesus Christ.

**Can.** 1252 All persons who have completed their fourteenth year are bound by the law of abstinence; all adults are bound by the law of fast up to the beginning of their sixtieth year. Nevertheless, pastors and parents are to see to it that minors who are not bound by the law of fast and abstinence are educated in an authentic sense of penance.

**Can.** 1253 It is for the conference of bishops to determine more precisely the observance of fast and abstinence and to substitute in whole or in part for fast and abstinence other forms of penance, especially works of charity and exercises of piety.

**BOOK FIVE THE TEMPORAL GOODS OF THE CHURCH**

**Can.** 1254 § 1. The Catholic Church has an innate right to acquire, retain, administer and alienate temporal goods in pursuit of its proper ends independently of civil power. § 2. The following ends are especially proper to the Church: to order divine worship; to provide decent support for the clergy and other ministers; to perform the works of the sacred apostolate and of charity, especially towards the needy.
Can. 1255 The universal Church and the Apostolic See, the particular churches as well as any other juridic person, whether public or private, are capable of acquiring, retaining, administering and alienating temporal goods in accord with the norm of law.

Can. 1256 The right of ownership over goods under the supreme authority of the Roman Pontiff belongs to that juridic person which has lawfully acquired them.

Can. 1257 § 1. All temporal goods which belong to the universal Church, the Apostolic See, or other public juridic persons within the Church are ecclesiastical goods and are regulated by the following canons as well as by their own statues. § 2. The temporal goods of a private juridic person are regulated by their own statutes, but not by the following canons unless (nisi) express provision is made to the contrary.

Can. 1258 In the following canons the term Church signifies not only the universal Church or the apostolic See, but also any public juridic person within the Church unless (nisi) it is otherwise apparent from the context of what is written or from the nature of the matter.

Can. 1259 The Church can acquire temporal goods by every just means of natural or positive law permitted to others.

Can. 1260 The Church has an innate right to require from the Christian faithful whatever is necessary for the ends proper to it.

Can. 1261 § 1. The Christian faithful may freely give temporal goods to the Church. § 2. The diocesan bishop is bound to admonish the faithful concerning the obligation mentioned in can. 222, § 1 and to urge its observance in an appropriate manner.

Can. 1262 The faithful are to contribute to the support of the Church by collections and according to the norms laid down by the conference of bishops.

Can. 1263 The diocesan bishop has the right to impose a moderate tax on public juridic persons subject to his authority; this tax, which should be proportionate to their income, is for diocesan needs and may be imposed only after hearing the diocesan finance council and the presbyteral council; he can impose an extraordinary and moderate tax on other physical and juridic persons only in cases of grave necessity and under the same
conditions with due regard for particular laws and customs attributing even more significant rights to him.

**Can.** 1264 Unless (nisi) the law has provided otherwise, it is the responsibility of a meeting of the bishops of a province: (1) to fix the amounts of the tax for acts of executive power granting a favor or for the execution of rescripts of the Apostolic See, to be approved by the Apostolic See; (2) to set a limit on the offerings given on the occasion of administering the sacraments and sacramentals.

**Can.** 1265 § 1. With due regard for the right of religious mendicants private persons whether physical or juridic are forbidden to raise funds for any pious or ecclesiastical institution or purpose without the written permission of their own ordinary and that of the local ordinary. § 2. The conference of bishops can determine norms on fund-raising, which must be observed by everyone including those who are called and really are mendicants by their foundation.

**Can.** 1266 The local ordinary may prescribe the taking up of a special collection for specific parochial, diocesan, national or universal projects in all the churches and oratories which are, in fact, habitually open to the Christian faithful, including those belonging to religious institutes; this collection is to be diligently transmitted afterwards to the diocesan curia.

**Can.** 1267 § 1. Unless (nisi) the contrary is established, the offerings given to the superiors or administrators of any ecclesiastical juridic person, even to a private one, are presumed to be given to that juridic person. § 2. The offerings mentioned in § 1 may not be refused without (nisi) a just cause and, in matters of greater importance, without the permission of the ordinary if it is a question of a public juridic person; with due regard for the prescription of can. 1295, the permission of the same ordinary is required to accept those gifts to which are attached a condition or a modal obligation. § 3. The offerings given by the faithful for a definite purpose can be applied only for the same purpose.

**Can.** 1268 Prescription as a means of acquiring property and freeing oneself from an obligation is admitted by the Church in regard to temporal goods according to the norm of cann. 197-199.

**Can.** 1269 If sacred objects are privately owned, they may be acquired even by private persons by means of prescription; but it is not lawful to
employ them for profane uses unless (nisi) they have lost their dedication or blessing; if, however, they belong to a public ecclesiastical juridic person, they can be acquired only by another public ecclesiastical juridic person.

**Can. 1270** Immovable properties, precious movable objects, and the personal or real rights and claims which belong to the Apostolic See are subject to a prescription period of one hundred years; those which belong to another public ecclesiastical juridic person are subject to a prescription period of thirty years.

**Can. 1271** In view of their bond of unity and charity and in accord with the resources of their dioceses, bishops are to assist in procuring those means whereby the Apostolic See can properly provide for its service of the universal Church according to the conditions of the times.

**Can. 1272** In regions where benefices in the strict sense still exist, it is the responsibility of the conference of bishops to supervise the management of such benefices through appropriate norms which are agreeable to and approved by the Apostolic See; this is to be accomplished in such a way that the income from and to the extent that it is possible even the original endowment of these benefices are gradually bestowed upon the institute mentioned in can. 1274, § 1. Can. 1273 By virtue of his primacy in governance the Roman Pontiff is the supreme administrator and steward of all ecclesiastical goods.

**Can. 1274** § 1. Unless (nisi) other provisions have been made for the support of the clergy, each diocese is to have a special institute which collects goods and offerings and whose purpose is to provide, according to the norm of can. 281, for the support of the clergy who offer their services for the benefit of the diocese. § 2. The conference of bishops is to see to it that an institute exists which sufficiently provides for the social security of the clergy wherever social insurance has not yet been suitably arranged for the benefit of the clergy. § 3. Insofar as it is necessary, each diocese is to establish a common fund through which the bishops can satisfy obligations toward other persons who serve the Church and meet the various needs of the diocese and through which the richer dioceses can also aid poorer ones. § 4. In accord with different local circumstances, the purposes mentioned in §§ 2 and 3 may be more appropriately obtained through a federation of such diocesan institutes, through some cooperative venture or even through some suitable association established for various dioceses or even for the
entire territory of a conference of bishops. §5. If it is possible, these institutes are to be so established that they are also recognized as effective under the civil law.

**Can.** 1275 An aggregate of goods which come from different diocese is administered according to the norms appropriately agreed upon by the bishops concerned.

**Can.** 1276 §1. It is the responsibility of the ordinary to supervise carefully the administration of all the goods which belong to the public juridic persons subject to him with due regard for legitimate titles attributing even more significant rights to the same ordinary. §2. Ordinaries are to see to the organization of the entire administration of ecclesiastical goods by issuing special instructions within the limits of universal and particular law with due regard for rights, legitimate customs and circumstances.

**Can.** 1277 The diocesan bishop must hear the finance council and the college of consultors in order to perform the more important acts of administration in light of the economic situation of the diocese; he needs the consent of this council and that of the college of consultors in order to perform acts of extraordinary administration besides cases specifically mentioned in universal law or in the charter of a foundation. It is for the conference of bishops to define what is meant by acts of extraordinary administration.

**Can.** 1278 In addition to the functions mentioned in can. 494, §§3 and 4, the diocesan bishop can assign to the finance officer the duties mentioned in cann. 1276, §1 and 1279, §2. Can. 1279 §1. The administration of ecclesiastical goods is the responsibility of the individual who immediately governs the person to whom the goods belong unless (nisi) particular law, statutes or lawful custom provide otherwise and with due regard for the right of the ordinary to intervene in case of negligence by an administrator. §2. As regards the administration of the goods of a public juridic person which does not have its own administrators in virtue of law or the charter of the foundation or its own statutes, the ordinary to whom such a person is subject is to appoint suitable persons as administrators for three year terms, and they may be reappointed by the ordinary.
Can. 1280 Each juridic person is to have its own finance council or at least two advisors, who according to the norm of its statutes assist the administrator in carrying out his or her function.

Can. 1281 § 1. With due regard for the prescriptions of their statutes, administrators invalidly posit acts which go beyond the limits and procedures of ordinary administration unless (nisi) they first obtain written authority from the ordinary. § 2. The acts which go beyond the limits and procedures of ordinary administration are to be defined in the statutes; if, however, the statutes do not mention such acts, it is within the competence of the diocesan bishop to determine such acts for persons subject to him after he has heard the finance council. § 3. Unless (nisi) and to the extent that it is to its own advantage, a juridic person is not held to answer for acts invalidly posited by its administrators. A juridic person, however, is responsible for acts illegitimately but validly posited by its administrators with due regard for the right to sue or to have recourse against administrators who have damaged it.

Can. 1282 All clerics or lay persons who through a legitimate title take part in the administration of ecclesiastical goods are bound to fulfill their duties in the name of the Church and in accord with the norm of law.

Can. 1283 Before administrators take office: (1) they must take an oath before the ordinary or his delegate that they will be efficient and faithful administrators; (2) they are to prepare, sign and subsequently renew an accurate and detailed inventory of immovable goods, movable goods, either precious or of significant cultural value, or other goods along with a description and appraisal of them; (3) one copy of this inventory is to be kept in the archives of the administration; the other, in the curial archives; any change whatever which the patrimony may undergo is to be noted on each copy.

Can. 1284 § 1. All administrators are bound to fulfill their office with the diligence of a good householder. § 2. For this reason they must: (1) take care that none of the goods entrusted to their care is in any way lost or damaged and take out insurance policies for this purpose, insofar as such is necessary; (2) take care that the ownership of ecclesiastical goods is safeguarded through civilly valid methods; (3) observe the prescriptions of both canon and civil law or those imposed by the founder, donor or legitimate authority; they must especially be on guard lest the Church be
harmed through the non-observance of civil laws; (4) accurately collect the revenues and income of goods when they are legally due, safeguard them once collected and apply them according to the intention of the founder or according to legitimate norms; (5) pay the interest on a loan or mortgage when it is due and take care that the capital debt itself is repaid in due time; (6) with the consent of the ordinary invest the money which is left over after expenses and which can be profitably allocated for the goals of the juridic person; (7) keep well ordered books of receipts and expenditures; (8) draw up a report on their administration at the end of each year; (9) duly arrange and keep in a suitable and safe archive the documents and deeds upon which are based the rights of the Church or the institution to its goods; deposit authentic copies of them in the archive of the curia when it can be done conveniently. § 3. It is strongly recommended that administrators prepare annual budgets of receipts and expenditures; however, it is left to particular law to issue regulations concerning such budgets and to determine more precisely how they are to be presented.

**Can.** 1285 Within the limits of ordinary administration only, it is permissible for administrators to make donations for purposes of piety or Christian charity from movable goods which do not pertain to the stable patrimony.

**Can.** 1286 Administrators of goods: (1) are to observe meticulously the civil laws pertaining to labor and social policy according to Church principles in the employment of workers; (2) are to pay employees a just and decent wage so that they may provide appropriately for their needs and those of their family.

**Can.** 1287 § 1. Both clerical and lay administrators of any ecclesiastical goods whatsoever which have not been legitimately exempted from the governing power of the diocesan bishop are bound by their office to present the local ordinary with an annual report, which in turn he is to present to the finance council for its consideration; any contrary custom is reprobated. § 2. Administrators are to render an account to the faithful concerning the goods offered by the faithful to the Church, according to norms to be determined by particular law.

**Can.** 1288 Administrators are neither to initiate nor to contest a lawsuit on behalf of a public juridic person in civil court unless (nisi) they obtain the written permission of their own ordinary.
Can. 1289 Even if they are not bound to administration by the title of an ecclesiastical office, administrators cannot relinquish their responsibilities on their own initiative; if, however, the Church is harmed by such an arbitrary abandonment of duty they are bound to restitution.

Can. 1290 Whatever general and specific regulations on contracts and payments are determined in civil law for a given territory are to be observed in canon law with the same effects in a matter which is subject to the governing power of the Church, unless (nisi) the civil regulations are contrary to divine law or canon law makes some other provision, with due regard for the prescription of can. 1547.

Can. 1291 The permission of the competent authority according to the norm of law is required in order validly to alienate the goods which through lawful designation constitute the stable patrimony of a public juridic person and whose value exceeds the sum determined in law.

Can. 1292 § 1. With due regard for the prescription of can. 638, § 3, when the value of the goods whose alienation is proposed is within the range of the minimum and maximum amounts which are to be determined by the conference of bishops for its region, the competent authority is determined in the group's own statutes when it is a question of juridic persons who are not subject to the diocesan bishop; otherwise, the competent authority is the diocesan bishop with the consent of the finance council, the college of consultors and the parties concerned. § 2. The permission of the Holy See is also required for valid alienation when it is a case of goods whose value exceeds the maximum amount, goods donated to the Church through a vow or goods which are especially valuable due to their artistic or historical value. § 3. If the object to be alienated is divisible, the parts which have previously been alienated must be mentioned in seeking the permission for alienation; otherwise the permission is invalid. § 4. The persons who must take part in alienating goods through their advice or consent are not to give their advice or consent unless (nisi) they have first been thoroughly informed concerning the economic situation of the juridic person whose goods are proposed for alienation and concerning previous alienations.

Can. 1293 § 1. To alienate goods whose value exceeds the minimum amount which has been determined, also required are: (1) a just cause such as urgent necessity, evident usefulness, piety, charity or some other serious pastoral reason; (2) a written estimate from experts concerning the value of
the object to be alienated. § 2. Other safeguards prescribed by legitimate authority are also to be observed to prevent harm to the Church.

**Can.** 1294 § 1. Ordinarily an object must not be alienated for a price which is less than that indicated in the estimate. § 2. The money realized from the alienation is either to be invested carefully for the advantage of the Church or wisely expended in accord with the purposes of the alienation.

**Can.** 1295 The requirements mentioned in cann. 1291-1294, with which the statutes of juridic persons are to be in conformity, must be observed not only in an alienation but also in any transaction through which the patrimonial condition of a juridic person can be worsened.

**Can.** 1296 Whenever ecclesiastical goods have been alienated without the required canonical formalities but the alienation is civilly valid, it is the responsibility of the competent authority, after a thorough consideration of the situation, to decide whether and what type of action, that is, a personal or real action, is to be initiated to vindicate the rights of the Church as well as by whom and against whom such an action is to be initiated.

**Can.** 1297 After considering local circumstances, it is the responsibility of the conference of bishops to establish norms concerning the leasing of church goods, especially the permission to be obtained from competent ecclesiastical authority.

**Can.** 1298 Unless (nisi) it is an object of little importance, ecclesiastical goods are not to be sold or leased out to their own administrators or to their relatives up to the fourth degree of consanguinity or affinity without the special written permission of the competent authority.

**Can.** 1299 § 1. Those who in virtue of natural and canon law are free to dispose of their own goods can leave goods for pious causes through an act which becomes effective during life or at death. § 2. If it is possible, the formalities of civil law are to be observed in the dispositions made for the good of the Church on the occasion of death; if such formalities have been neglected, the heirs must be advised of the obligation by which they are bound to fulfill the will of the testator.

**Can.** 1300 The legitimately accepted wills of the faithful who give or leave their resources to pious causes, whether through an act which becomes effective during life or at death, are to be fulfilled with the greatest diligence.
even as regards the manner of the administration and distribution of the goods, with due regard for the prescription of can. 1301, § 3. Can. 1301 § 1. The ordinary is the executor of all pious wills whether they be made during life or on the occasion of death. § 2. In virtue of this right the ordinary can and must exercise vigilance, even through visitation, so that pious wills are fulfilled; other executors must render him an account concerning the performance of their duty. § 3. Stipulations added to last wills and contrary to this right of the ordinary are to be considered non-existent.

Can. 1302 § 1. A person who accepts the role of trustee for goods bequeathed for pious causes either through an act made during life or through a last will and testament must inform the ordinary of this trust and also indicate all such goods, whether immovable or movable, along with the obligations attached to them; if, however, the donor expressly and completely prohibits this, the person is not to accept the trust. § 2. The ordinary must demand that the goods held in trust be safeguarded and must exercise vigilance on behalf of the execution of the pious will in accord with the norm of can. 1301. § 3. When goods committed in trust to some member of a religious institute or a society of apostolic life have been designated for the assistance of a place or diocese or their inhabitants or pious causes, the ordinary mentioned in §§ 1 and 2 is the local ordinary; otherwise, it is the major superior in a clerical institute of pontifical right and in a clerical society of apostolic life of pontifical right or the proper ordinary of a member in other religious institutes.

Can. 1303 § 1. In the law under the title of pious foundations are included: (1) autonomous pious foundations, that is, aggregates of things destined for all the purposes mention in can. 114, § 2 and erected as a juridic person by competent ecclesiastical authority; (2) non- autonomous pious foundations, that is, temporal goods given in some manner to a public juridic person with the obligation for a long time, to be determined by particular law, to arrange from the annual income for the celebration of Masses or other specified ecclesiastical functions or otherwise to pursue the purposes mentioned in can. 114, § 2. § 2. If the goods of a non-autonomous pious foundation are entrusted to a juridic person subject to a diocesan bishop, they are to be remanded to the institute mentioned in can. 1274, § 1 when the specified period of time is completed unless (nisi) another
intention of the founder was expressly manifest; otherwise they belong to
the juridic person itself.

**Can. 1304 § 1.** In order for a foundation to be validly accepted by a juridic
person the written permission of the ordinary is required; and he is not to
grant that permission until he legitimately determines that the juridic person
can fulfill the new obligation as well as those already accepted; he should
most specially take care that the income entirely corresponds to the
attached obligations in accord with the customs of the place or region. § 2.
Further conditions for constituting and accepting foundations are to be
defined in particular law.

**Can. 1305** Money and movable goods assigned to an endowment are
immediately to be deposited in a safe place to be approved by the ordinary
so that the money or the value of the movable goods will be safeguarded; as
soon as possible, these goods are to be invested cautiously and profitably for
the benefit of the foundation with express and specific mention made of the
burdens attached to the endowment; this investment is to be made in
accord with the prudent judgment of the ordinary who is to consult the
interested parties as well as his finance council on this matter.

**Can. 1306 § 1.** Foundations, even if made orally, are to be put into
writing. § 2. A copy of the terms of the foundation is to be securely filed in
the curial archive and another copy is to be securely filed in the archive of
the juridic person to whom the foundation pertains.

**Can. 1307 § 1.** With due regard for the prescriptions of cann. 1300-1302
and can. 1287, a list of obligations arising from pious foundations is to be
drawn up and retained in an obvious place lest the obligations to be fulfilled
be neglected. § 2. Besides the book referred to in can. 958, § 1, another
book is to be kept by the pastor (parochus) or rector in which the individual
obligations, their fulfillment and the offerings are noted.

**Can. 1308 § 1.** The reduction of Mass obligations, to be done only for a
just and necessary reason, is reserved to the Apostolic See with due regard
for the following prescriptions. § 2. If it is expressly provided for in the
articles of the foundation, the ordinary is empowered to reduce Mass
obligations because of diminished income. § 3. The diocesan bishop has the
power, when income diminishes, of reducing Masses from independent
legacies or foundations of any kind to conform to the level of the offering
legitimately established in the diocese for as long as the reason for this reduction continues, provided (dummodo) that there is no one who is bound by the obligation of increasing the offering and can be successfully induced to do so. § 4. The same authority has the power of reducing the obligations or legacies for Masses which bind ecclesiastical institutes if the income proves insufficient to pursue successfully the proper goal of the ecclesiastical institute. § 5. These same powers mentioned in §§ 3 and 4 are also enjoyed by the supreme moderator of clerical institutes of pontifical right.

Can. 1309 The same authorities mentioned in can. 1308 also enjoy the power of transferring for a suitable reason Mass obligations to days, churches or altars different from those determined in the foundation.

Can. 1310 § 1. The ordinary, only for a just and necessary reason, may reduce, moderate or commute the wills of the faithful for pious causes provided such power has been expressly granted him by the founder. § 2. If, through no fault of the administrator, the fulfillment of the obligations becomes impossible due to diminished income or some other reason, the ordinary can diminish them equitably after consulting the interested parties and his finance council, with due regard for the will of the founder as much as possible; this is not true for Mass obligations, whose reduction is governed by the prescriptions of can. 1308. § 3. In other cases recourse is to be made to the Apostolic See.

BOOK VI PENAL LAW

PART I

Can. 1311 The Church has an innate and proper right to coerce offending members of the Christian faithful by means of penal sanction.

Can. 1312 § 1. The following penal sanctions exist in the Church: (1) medicinal penalties or censures enumerated in cann. 1331-1333; (2) expiatory penalties enumerated in can. 1336. § 2. The law can establish other expiatory penalties which deprive a believer of some spiritual or temporal good and are consistent with the supernatural end of the Church. § 3. Penal remedies and penances are likewise employed; the former especially in order to prevent offenses, the latter rather to substitute for or to increase a penalty.
Can. 1313 § 1. If a law is changed after an offense has been committed the law which is more favorable to the accused is to be applied. § 2. But if the second law abolishes the first law or at least its penalty, the penalty immediately ceases.

Can. 1314 Ordinarily a penalty is to be inflicted by a sentence (ferendae sententiae) so that it does not bind the guilty party until (nisi) after it has been imposed; however, a penalty is incurred automatically by the very commission of the offense (latae sententiae) if the law or precept expressly determines this.

Can. 1315 § 1. Those who have legislative power can also issue penal laws, within the existing limits of their competence by reason of territory or persons, they can by means of their own laws safeguard with an appropriate penalty any divine law or an ecclesiastical law made by a higher authority. § 2. The law itself can determine a penalty or its determination can be left to the prudent assessment of a judge. § 3. Particular law can also add other penalties to the penalties established in universal law for some offense, but this is not to be done except (nisi) for the most serious necessity. If the universal law threatens a penalty which is indeterminate or facultative, however, particular law can establish in its place a determinate or obligatory penalty.

Can. 1316 Diocesan bishops are to see to it that penal laws if they are to be enacted are uniform in the same city or region to the extent that this is possible.

Can. 1317 Penalties should be established to the extent to which they are truly necessary to provide more suitably for ecclesiastical discipline. Dismissal from the clerical state, however, cannot be established by particular law.

Can. 1318 A legislator is not to threaten automatic penalties (latae sententiae) unless (nisi) perhaps against certain particularly treacherous offenses which either can result in more serious scandal or cannot be effectively punished by means of inflicted penalties (ferendae sententiae); a legislator is not to establish censures, especially excommunication, except (nisi) with the greatest moderation and only for more serious offenses.

Can. 1319 § 1. To the extent that one can impose precepts in the external forum by virtue of the power of governance, to that same extent one can
also threaten determinate penalties through a precept with the exception of perpetual expiatory penalties. § 2. A penal precept is not to be issued without (nisi) a mature consideration of the matter and without observing what is stated in cann. 1317 and 1318 concerning particular laws.

**Can.** 1320 Religious can be coerced by penalties by the local ordinary in all matters in which they are subject to him.

**Can.** 1321 § 1. No one is punished unless (nisi) the external violation of a law or a precept committed by the person is seriously imputable to that person by reason of malice or culpability. § 2. A person who has deliberately violated a law or a precept is bound by the penalty stated in the law or that precept; unless (nisi) a law or a precept provides otherwise, a person who has violated that law or that precept through a lack of necessary diligence is not punished. § 3. Unless (nisi) it is otherwise evident, imputability is presumed whenever an external violation has occurred.

**Can.** 1322 Persons who habitually lack the use of reason are considered incapable of an offense even if they have violated a law or a precept while appearing to be sane.

**Can.** 1323 The following are not subject to penalties when they have violated a law or precept: (1) a person who has not yet completed the sixteenth year of age; (2) a person who without any fault was unaware of violating a law or precept; however, inadvertence and error are equivalent to ignorance; (3) a person who acted out of physical force or in virtue of a mere accident which could neither be foreseen nor prevented when foreseen; (4) a person who acted out of grave fear, even if only relatively grave, or out of necessity or out of serious inconvenience unless (nisi) the act is intrinsically evil or verges on harm to souls; (5) a person who for the sake of legitimate self-defense or defense of another acted against an unjust aggressor with due moderation; (6) a person who lacked the use of reason with due regard for the prescriptions of cann. 1324, § 1, n. 2 and 1325; (7) a person who without any fault felt that the circumstances in nn. 4 or 5 were verified.

**Can.** 1324 § 1. One who violates a law or precept is not exempt from a penalty but the penalty set by law or precept must be tempered or a penance substituted in its place if the offense was committed: (1) by a person with only the imperfect use of reason; (2) by a person who lacked
the use of reason due to drunkenness or another similar mental disturbance which was culpable; (3) in the serious heat of passion which did not precede and impede all deliberation of mind and consent of will as long as (dummodo) the passion itself had not been voluntarily stirred up or fostered; (4) by a minor who has completed the age of sixteen years; (5) by a person who was forced through grave fear, even if only relatively grave, or through necessity or serious inconvenience, if the offense was intrinsically evil or verged on harm to souls; (6) by a person who for the sake of legitimate self-defense or defense of another acted against an unjust aggressor but without due moderation; (7) against one gravely and unjustly provoking it; (8) by one who erroneously yet culpably thought one of the circumstances in can. 1323, nn. 4 and 5 was verified; (9) by one who without any fault was unaware that a penalty was attached to the law or precept; (10) by one who acted without full imputability provided (dummodo) there was grave imputability. § 2. A judge can act in the same manner if any other circumstance exists which would lessen the seriousness of the offense. § 3. An accused is not bound by an automatic penalty (latae sententiae) in the presence of any of the circumstances enumerated in § 1. Can. 1325 Crass, supine or affected ignorance can never be considered in applying the prescriptions of cann. 1323 and 1324; the same is true for drunkenness and other mental disturbances if they are deliberately induced to commit or excuse the offense; this is also true for passion which is deliberately aroused or fostered.

**Can. 1326** § 1. A judge can punish more severely than a law or a precept has stated: (1) a person who after condemnation or after a declaration of a penalty still commits an offense so as to be prudently presumed to be in continuing bad will in light of the circumstances; (2) a person who has been given some dignified position or who has abused authority or office in order to commit the offense; (3) an accused who although a penalty has been established against a culpable offense, foresaw what was to happen yet nonetheless did not take the precautions which any diligent person would have employed to avoid it. § 2. If the penalty established is an automatic one (latae sententiae), another penalty or a penance can be added in those cases mentioned in § 1. Can. 1327 Particular law can determine other exempting, mitigating or aggravating circumstances besides the cases in cann. 1323-1326 either by general norm or for individual offenses.
Furthermore, circumstances can be determined in a precept which exempt or mitigate or increase the penalty determined in a precept.

**Can. 1328 § 1.** A person who has done or omitted something in order to commit an offense but, unwittingly, has not completed it, is not bound by the penalty stated for a completed delict unless (nisi) the law or precept provides otherwise. § 2. But if such acts or omissions are of their nature conducive to the execution of an offense, their author can be subjected to a penance or a penal remedy unless (nisi) the author spontaneously ceased from the execution of the offense which had been begun. If, however, scandal or some serious injury or danger has occurred, the author can be punished with a just penalty even if he or she had ceased spontaneously; but it is to be lighter than that which is established for a completed offense.

**Can. 1329 § 1.** If the penalties established against the principal author are inflicted ones (ferendae sententiae), then those who collaborate to commit an offense through a common conspiracy but who are not expressly named in a law or a precept are subject to the same penalties or to other penalties of the same or lesser severity. § 2. Accomplices who are not named in a law or in a precept incur an automatic penalty (latae sententiae) attached to an offense if it would not have been committed without their efforts and the penalty is of such a nature that it can punish them; otherwise, they can be punished by inflicted penalties (ferendae sententiae).

**Can. 1330** An offense which consists of some declaration or of some other manifestation of will, doctrine or knowledge is not to be considered completed if no one perceives such a declaration or manifestation.

**Can. 1331 § 1.** An excommunicated person is forbidden: (1) to have any ministerial participation in celebrating the Eucharistic Sacrifice or in any other ceremonies whatsoever of public worship; (2) to celebrate the sacraments and sacramentals and to receive the sacraments; (3) to discharge any ecclesiastical offices, ministries or functions whatsoever, or to place acts of governance. § 2. If the excommunication has been imposed or declared, the guilty party: (1) wishing to act against the prescriptions of § 1, n. 1, is to be prevented from doing so or the liturgical action is to stop unless (nisi) a serious cause intervenes; (2) invalidly places acts of governance which are only illicit in accord with the norms of § 1, n. 3; (3) is forbidden to enjoy privileges formerly granted; (4) cannot validly acquire a
dignity, office or other function in the Church; (5) cannot appropriate the revenues from any dignity, office, function or pension in the Church.

Can. 1332 An interdicted person is bound by the prohibitions of can. 1331, § 1 nn. 1 and 2; if, however, the interdict has been imposed or declared, the prescription of can. 1331, § 2, n. 1, is to be observed.

Can. 1333 § 1. A suspension, which can affect clerics alone, forbids: (1) either all or some acts of the power of orders; (2) either all or some acts of the power of governance; (3) the exercise of either all or some rights or functions which are attached to an office. § 2. It can be stated in a law or a precept that a suspended cleric cannot validly place acts of governance after a condemnatory or declaratory sentence. § 3. A prohibition never affects: (1) the offices or the power of governance which are not subject to the power of the superior who establishes the penalty; (2) the right to a dwelling place which the accused may have by reason of his office; (3) the right to administer goods which may pertain to the office of the suspended cleric himself if the penalty is an automatic one (latae sententiae). § 4. A suspension forbidding one to collect revenues, stipends, pensions or any other such thing carries with it an obligation to make restitution for anything illegitimately collected even in good faith.

Can. 1334 § 1. Within the limits stated in the preceding canon, the extent of the suspension is defined by the law or precept itself or by the sentence or decree by which it is imposed. § 2. A law but not a precept can establish an automatic suspension (latae sententiae) without any further determination or limitation; such a penalty has all the effects enumerated in can. 1333, § 1. Can. 1335 If a censure prohibits the celebration of the sacraments or sacramentals or the placing of an act of governance, the prohibition is suspended whenever it is necessary to take care of the faithful who are in danger of death; and if an automatic censure (latae sententiae) is not a declared one, the prohibition is also suspended whenever a member of the faithful requests a sacrament, a sacramental or act of governance; this request can be made for any just cause whatsoever.

Can. 1336 § 1. Besides other penalties which the law may establish, the following are expiatory penalties which can punish an offender in perpetuity, for a prescribed time or for an indeterminate time: (1) a prohibition or an order concerning living in a certain place or territory; (2) deprivation of power, office, function, right, privilege, faculty, favor, title or insignia, even
merely honorary; (3) a prohibition against exercising those things mentioned in n. 2 or a prohibition against exercising them in a certain place or outside a certain place, which prohibitions are never under pain of nullity; (4) a penal transfer to another office; (5) dismissal from the clerical state. § 2. The only expiatory penalties which can be automatic (latae sententiae) are those enumerated in § 1, n. 3.

Can. 1337 § 1. A prohibition against living in a certain place or territory can affect either clerics or religious; an order to live in a certain place or territory, however, can affect secular clerics and religious within the limits of their constitutions. § 2. An order to live in a certain place or territory requires the consent of the ordinary of that place unless (nisi) it is a question of a house of penance or correction set aside also for clerics from outside that diocese.

Can. 1338 § 1. The deprivations and prohibitions enumerated in can. 1336, § 1, nn. 2 and 3, never affect the powers, offices, functions, rights, privileges, faculties, favors, titles or insignia which are not subject to the power of the superior who establishes the penalty. § 2. There is no such penalty as deprivation of the power of orders, but only the prohibition against exercising it or some acts of orders; there is likewise no such penalty as a deprivation of academic degrees. § 3. Prohibitions listed in can. 1336, § 1, n. 3, are to be regulated by the norm given in can. 1335 concerning censures.

Can. 1339 § 1. An ordinary can admonish personally or through another person one who is in the proximate occasion of committing an offense or upon whom, after an investigation has been made, there has fallen a serious suspicion of having committed an offense. § 2. An ordinary can likewise rebuke a person from whose behavior there arises scandal or serious disturbance of order in a manner accommodated to the special conditions of the person and the deed. § 3. Proof of admonishment and of rebuke must always be retained, at least by some document which is preserved in the secret archive of the curia.

Can. 1340 § 1. A penance, which can be imposed in the external forum, is some work of religion, piety or charity to be performed. § 2. A public penance is never to be imposed for an occult transgression. § 3. An ordinary can prudently attach penances to the penal remedy of admonishment or of rebuke.
**Can.** 1341 Only after he has ascertained that scandal cannot sufficiently be repaired, that justice cannot sufficiently be restored and that the accused cannot sufficiently be reformed by fraternal correction, rebuke and other ways of pastoral care is the ordinary then to provide for a judicial or administrative procedure to impose or to declare penalties.

**Can.** 1342 § 1. As often as just causes preclude a judicial process a penalty can be imposed or declared by an extra-judicial decree; penal remedies and penances, however, can be applied by a decree in any case whatsoever. § 2. Perpetual penalties cannot be imposed or declared by a decree; neither can penalties be so applied when the law or the precept which established them forbids their application by a decree. § 3. What is said in a law or precept concerning a judge's imposing or declaring a penalty in a trial is to be applied to a superior who would impose or declare a penalty by means of an extra-judicial decree, unless ( nisi) the contrary is evident or unless it is a question of prescriptions which deal only with procedural matters.

**Can.** 1343 If a law or a precept gives the judge the power to apply or not to apply a penalty, the judge can also temper the penalty or impose a penance in its place in accord with his own conscience and prudence.

**Can.** 1344 Although a law may employ preceptive words, the judge in accord with his own conscience and prudence can: (1) postpone to a more opportune time the infliction of a penalty if it is foreseen that greater evils will occur from an overly prompt punishment of the accused; (2) refrain from imposing a penalty, or impose a lighter penalty, or employ a penance if the accused has reformed and scandal has been repaired, or if the accused has been or, it is foreseen, will be sufficiently punished by civil authority; (3) suspend the obligation to observe an expiatory penalty if it was the person's first offense after having led a praiseworthy life and if the need to repair scandal is not pressing; in such a situation, however, if the accused should again commit an offense within the time period set by the judge, the person is to pay the penalty required for both offenses unless ( nisi), in the interim, time had run out for initiating a penal action for the first offense.

**Can.** 1345 As often as the offender had only an imperfect use of reason or committed the offense from fear or necessity or in the heat of passion or in drunkenness or another similar mental disturbance, the judge can also
abstain from inflicting any penalty if he judges that reform can be better provided for otherwise.

**Can. 1346** Whenever the accused has committed several offenses, it is left to the prudent determination of the judge to moderate the penalties within equitable limits if the cumulative burden of the inflicted (ferendae sententiae) penalties appears excessive.

**Can. 1347** § 1. A censure cannot be imposed validly unless the accused has been warned at least once in advance that he or she should withdraw from contumacy and be given a suitable time for repentance. § 2. The guilty party is to be said to have withdrawn from contumacy when he or she has truly repented the offense and furthermore has made suitable reparation for damages and scandal or at least has seriously promised to do so.

**Can. 1348** When the accused is acquitted of the charge or when no penalty is otherwise imposed on the accused, the ordinary can provide for the public good and for the person's own good by means of appropriate admonitions and other ways of pastoral care or even through penal remedies, if circumstances warrant it.

**Can. 1349** If the penalty is indeterminate and the law does not provide otherwise, the judge is not to impose heavier penalties, especially censures, unless ( nisi) the seriousness of the case clearly demands it; he cannot, however, impose perpetual penalties.

**Can. 1350** § 1. Unless ( nisi) it is a question of dismissal from the clerical state, when penalties are imposed upon a cleric provision must always be made that he does not lack those things which are necessary for his decent support. § 2. In the best manner possible the ordinary is to see to the care of a person dismissed from the clerical state who is truly in need due to the penalty.

**Can. 1351** Unless ( nisi) express provision is made otherwise, a penalty binds the guilty party everywhere, even when the authority of the one who established or imposed the penalty has lapsed.

**Can. 1352** § 1. If a penalty prohibits the reception of the sacraments or sacramentals, the prohibition is suspended as long as the guilty party is in danger of death. § 2. The obligation to observe an automatic penalty (latae sententiae) which has not been declared and which is not notorious in the
place where the offender is living is totally or partially suspended to the extent that the person cannot observe it without danger of serious scandal or infamy.

**Can. 1353** An appeal or recourse from judicial sentences or from decrees which impose or declare any penalty whatsoever has a suspensive effect.

**Can. 1354 § 1.** Besides the persons enumerated in cann. 1355-1356, all who can dispense from a law which includes a penalty and all who can exempt one from a precept which threatens a penalty can also remit that penalty. § 2. Furthermore, a law or a precept which establishes a penalty can also give the power of remission to other persons. § 3. If the Apostolic See reserves to itself or to another the remission of a penalty, such a reservation is to be interpreted strictly.

**Can. 1355 § 1.** Unless (dummodo) it is reserved to the Apostolic See, the following can remit an imposed or declared penalty established by law: (1) the ordinary who set in motion the trial in order to impose or declare the penalty or who imposed or declared it by decree personally or through another; (2) the ordinary of the place where the offender lives, after consulting with the ordinary mentioned in n. 1, unless (nisi) this is impossible due to extraordinary circumstances. § 2. Unless it is reserved to the Apostolic See an ordinary can remit an automatic (latae sententiae) penalty established by law but not declared for his own subjects and those who are living in his territory or who committed an offense there; any bishop, however, can also do this in the act of sacramental confession.

**Can. 1356 § 1.** The following can remit an inflicted (ferendae sententiae) or automatic (latae sententiae) penalty established by a precept not issued by the Holy See: (1) the ordinary of the place where the offender lives; (2) if the penalty has been imposed or declared, the ordinary who set in motion the trial in order to impose or declare the penalty or who imposed or declared it by decree personally or through another. § 2. Before such a remission occurs, the author of the precept is to be consulted unless (nisi) this is impossible due to extraordinary circumstances.

**Can. 1357 § 1.** With due regard for the prescriptions of cann. 508 and 976, any confessor can remit in the internal sacramental forum an automatic (latae sententiae) censure of excommunication or interdict which has not been declared if it would be hard on the penitent to remain in a state of
serious sin during the time necessary for the competent superior to provide.

§ 2. In granting a remission, the confessor is to impose on the penitent the burden of having recourse within a month to a superior or a priest endowed with faculties and obeying his mandates under pain of reincidence of the penalty; in the meantime he should impose an appropriate penance and the reparation of any scandal or damage to the extent that it is imperative; recourse can also be made by the confessor without mentioning any names. § 3. After they have recovered, those absolved in accord with can. 976 from an imposed or declared censure or one reserved to the Holy See are bound by the same obligation of recourse.

**Can.** 1358 § 1. A remission of a censure cannot be granted unless an offender has withdrawn from contumacy in accord with the norm of can 1347, § 2; remission cannot be denied, however, to a person who withdraws from contumacy. § 2. A person who remits a censure can act in accord with the norm of can. 1348 or even impose a penance.

**Can.** 1359 If a person is bound by many penalties, the remission has force only for those penalties expressly mentioned in the remission; a general remission, however, takes away all penalties with the exception of those about which the guilty party kept silent in the petition in bad faith.

**Can.** 1360 If the remission of a penalty was extorted through grave fear, it is invalid.

**Can.** 1361 § 1. A remission can be granted even to a person who is not present or even under a condition. § 2. A remission in the external forum is to be given in writing unless (nisi) a serious cause persuades otherwise. § 3. Care should be taken that a petition for remission or the remission itself not be made public, except (nisi) to the extent that it would be advantageous to protect the reputation of the guilty party or necessary to repair scandal.

**Can.** 1362 § 1. A criminal action is extinguished by prescription in three years unless (nisi) it is a question of: (1) offenses reserved to the Sacred Congregation for the Doctrine of the Faith; (2) an action due to offenses mentioned in cann. 1394, 1395, 1397 and 1398, which have a prescription of five years; (3) offenses which are not punished in common law if particular law has stated another term of prescription. § 2. Prescription starts on the day the offense was committed or on the day when it ceased if the offense is continuous or habitual.
Can. 1363 § 1. An action to execute a penalty is extinguished by prescription if the guilty party has not been notified of the judge's executive decree mentioned in can. 1651 within the time limits indicated in can. 1362 which are to be computed from the day on which the condemnatory sentence became a finally judged matter (res iudicata). § 2. All other things being observed that are to be observed, the same holds true if the penalty was imposed through an extra-judicial decree.

PARTS II

Title I

Can. 1364 § 1. With due regard for can. 194, § 1, n. 2, an apostate from the faith, a heretic or a schismatic incurs automatic (latae sententiae) excommunication and if a cleric, he can also be punished by the penalties mentioned in can. 1336, § 1, nn. 1, 2, and 3. § 2. If long lasting contumacy or the seriousness of scandal warrants it, other penalties can be added including dismissal from the clerical state.

Can. 1365 A person guilty of prohibited participation in sacred rites (communicatio in sacris) is to be punished with a just penalty.

Can. 1366 Parents or those who substitute for parents are to be punished with a censure or another just penalty if they hand their children over to be baptized or educated in a non-Catholic religion.

Can. 1367 A person who throws away the consecrated species or who takes them or retains them for a sacrilegious purpose incurs an automatic (latae sententiae) excommunication reserved to the Apostolic See; if a cleric, he can be punished with another penalty including dismissal from the clerical state.

Can. 1368 A person who commits perjury while asserting something or promising something before an ecclesiastical authority is to be punished with a just penalty.

Can. 1369 A person who uses a public show or speech, published writings, or other media of social communication to blaspheme, seriously damage good morals, express wrongs against religion of against the Church or stir up hatred or contempt against religion or the Church is to be punished with a just penalty.
Can. 1370 § 1. One who uses physical force against the Roman Pontiff incurs an automatic (latae sententiae) excommunication reserved to the Apostolic See; if he is a cleric, another penalty including dismissal from the clerical state can be added in accord with the seriousness of the offense. § 2. One who does this against a person possessing the episcopal character incurs an automatic (latae sententiae) interdict; and, if a cleric, he also incurs an automatic (latae sententiae) suspension. § 3. One who uses physical force against a cleric or religious out of contempt for the faith, or the Church, or ecclesiastical power, or ministry is to be punished with a just penalty.

Can. 1371 The following are to be punished with a just penalty: (1) besides the situation mentioned in can. 1364, § 1, a person who teaches a doctrine condemned by the Roman Pontiff or by an ecumenical council or who pertinaciously rejects the doctrine mentioned in can. 752 and who does not make a retraction after having been admonished by the Apostolic See or by the ordinary; (2) a person who wrongly does not otherwise comply with the legitimate precepts or prohibitions of the Apostolic See, the ordinary or the superior and who persists in disobedience, after a warning.

Can. 1372 One who takes recourse against an act of a Roman Pontiff to an ecumenical council or to the college of bishops is to be punished with a censure.

Can. 1373 One who publicly either stirs up hostilities or hatred among subjects against the Apostolic See or against an ordinary on account of some act of ecclesiastical power or ministry or incites subjects to disobey them is to be punished by an interdict or by other just penalties.

Can. 1374 One who joins an association which plots against the Church is to be punished with a just penalty; one who promotes or moderates such an association, however, is to be punished with an interdict.

Can. 1375 Those who impede the freedom of ecclesiastical ministry or election or power, or the legitimate use of sacred goods or other ecclesiastical goods, or who grossly intimidate an elector, or the elected, or the one who exercises ecclesiastical ministry or power, can be punished with a just penalty.

Can. 1376 One who profanes a movable or immovable sacred thing is to be punished with a just penalty.
Can. 1377 One who alienates ecclesiastical goods without the prescribed permission is to be punished with a just penalty.

Can. 1378 §1. A priest who acts against the prescription of can. 977 incurs an automatic (latae sententiae) excommunication reserved to the Apostolic See. §2. The following incur an automatic (latae sententiae) penalty of interdict or if a cleric, an automatic (latae sententiae) suspension: (1) one who has not been promoted to the priestly order and who attempts to enact the liturgical action of the Eucharistic Sacrifice; (2) outside the case mentioned in §1, a person who attempts to impart sacramental absolution or a person who hears a sacramental confession when one cannot validly give sacramental absolution. §3. In the case mentioned in §2 other penalties including excommunication can be added in accord with the seriousness of the offense.

Can. 1379 Outside the cases mentioned in can. 1378, one who simulates the administration of a sacrament is to be punished with a just penalty.

Can. 1380 One who celebrates or receives a sacrament through simony is to be punished with an interdict or a suspension.

Can. 1381 §1. Whoever usurps an ecclesiastical office is to be punished with a just penalty. §2. Illegitimate retention after deprivation or cessation of office is equivalent to usurpation.

Can. 1382 A bishop who consecrates someone a bishop and the person who receives such a consecration from a bishop without a pontifical mandate incur an automatic (latae sententiae) excommunication reserved to the Apostolic See.

Can. 1383 A bishop who violates the prescription of can. 1015 and ordains a person who is not his subject without legitimate dimissorial letters is prohibited for a year from conferring the order; a person who has received ordination in such circumstances is automatically (ipso facto) suspended from the order received.

Can. 1384 Outside the cases mentioned in cann. 1378-1383, one who illegitimately carries out a priestly function or another sacred ministry can be punished with a just penalty.

Can. 1385 One who illegitimately makes a profit from a Mass stipend is to be punished with a censure or another just penalty.
**Can.** 1386 One who gives or promises something so that someone who exercises a function in the Church would illegitimately do or omit something is to be punished with a just penalty; likewise, the person who accepts such gifts or promises.

**Can.** 1387 Whether in the act or on the occasion or under the pretext of confession, a priest who solicits a penitent to sin against the sixth commandment of the Decalogue is to be punished with suspension, prohibitions and deprivations in accord with the seriousness of the offense; and in more serious cases, he is to be dismissed from the clerical state.

**Can.** 1388 § 1. A confessor who directly violates the seal of confession incurs an automatic (latae sententiae) excommunication reserved to the Apostolic See; if he does so only indirectly, he is to be punished in accord with the seriousness of the offense. § 2. An interpreter and other persons mentioned in can. 983, § 2, who violate this secrecy are to be punished with a just penalty, not excluding excommunication.

**Can.** 1389 § 1. One who abuses ecclesiastical power or function is to be punished in accord with the seriousness of the act or omission not excluding deprivation from office unless (nisi) a penalty for such abuse has already been established by a law or a precept. § 2. One who through culpable negligence illegitimately places or omits an act of ecclesiastical power, ministry or function which damages another person is to be punished with a just penalty.

**Can.** 1390 § 1. One who falsely accuses a confessor before an ecclesiastical superior of the offense mentioned in can. 1387 incurs an automatic (latae sententiae) interdict; and if a cleric, also a suspension. § 2. One who furnishes an ecclesiastical superior with any other calumnious denunciation of an offense or who otherwise injures the good reputation of another person can be punished with a just penalty, even including a censure. § 3. A calumniator can be coerced also to make suitable reparation.

**Can.** 1391 The following can be punished with a just penalty in accord with the seriousness of the offense: (1) one who fabricates a false public ecclesiastical document, or changes, destroys or conceals an authentic document, or uses a false or changed document; (2) one who uses another false or changed document in an ecclesiastical matter; (3) one who states a falsehood in a public ecclesiastical document.
Can. 1392 Clerics or religious who practice trade or business against the prescriptions of the canons are to be punished in accord with the seriousness of the offense.

Can. 1393 One who violates the obligations imposed by a penalty can be punished by a just penalty.

Can. 1394 § 1. With due regard for the prescription of can. 194, § 1, n. 3, a cleric who attempts even a civil marriage incurs an automatic (latae sententiae) suspension; but if he is given a warning and he does not have a change of heart and continues to give scandal, he can be punished gradually with various deprivations, even to the point of dismissal from the clerical state. § 2. A religious in perpetual vows who is not a cleric and who attempts even a civil marriage incurs an automatic (latae sententiae) interdict, with due regard for the prescription of can. 694.

Can. 1395 § 1. Outside the case mentioned in can. 1394, a cleric who lives in concubinage or a cleric who remains in another external sin against the sixth commandment of the Decalogue which produces scandal is to be punished with a suspension; and if such a cleric persists in such an offense after having been admonished, other penalties can be added gradually including dismissal from the clerical state. § 2. If a cleric has otherwise committed an offense against the sixth commandment of the Decalogue with force or threats or publicly or with a minor below the age of sixteen, the cleric is to be punished with just penalties, including dismissal from the clerical state if the case warrants it.

Can. 1396 One who seriously violates the obligation of residence to which he is bound by reason of an ecclesiastical office is to be punished with a just penalty including even deprivation of office after a warning.

Can. 1397 One who commits homicide or who fraudulently or forcibly kidnaps, detains, mutilates or seriously wounds a person is to be punished with the deprivations and prohibitions mentioned in can. 1336 in accord with the seriousness of the offense; however, homicide against the persons mentioned in can. 1370 is punished by the penalties specified there.

Can. 1398 A person who procures a completed abortion incurs an automatic (latae sententiae) excommunication.
**Can.** 1399 Besides the cases stated here or in other laws, an external violation of a divine or an ecclesiastical law can be punished by a just penalty only when the particular seriousness of the violation demands punishment and there is an urgent need to preclude or repair scandal.

**BOOK VII PROCEDURAL LAW**

**PART I: TRIALS IN GENERAL**

**Can.** 1400 § 1. The object of a trial is:

1° to prosecute or to vindicate rights of physical or juridic persons, or to declare juridic facts;

2° to impose or declare the penalty for offenses. § 2. However, controversies which have arisen from an act of administrative power can be brought only before the superior or an administrative tribunal.

**Can.** 1401 By proper and exclusive right the Church adjudicates: (1) cases concerning spiritual matters or connected with the spiritual; (2) the violation of ecclesiastical laws and all those cases in which there is a question of sin in respect to the determination of culpability and the imposition of ecclesiastical penalties.

**Can.** 1402 With due regard for the norms established for the tribunals of the Apostolic See, all the tribunals of the Church are regulated by the following canons.

**Can.** 1403 § 1. The causes of the canonization of the servants of God are regulated by special pontifical law. § 2. The prescriptions of this Code, however, are applicable to the aforementioned causes whenever the pontifical law refers to the universal law or when it is a question of norms which affect those causes from the very nature of the matter.

**Can.** 1404 The First See is judged by no one.

**Can.** 1405 § 1. It is the right of the Roman Pontiff himself alone to judge in cases mentioned in can. 1401: (1) those who hold the highest civil office in a state; (2) cardinals; (3) legates of the Apostolic See and, in penal cases, bishops; (4) other cases which he has called to his own judgment. § 2. A judge cannot review an act or instrument explicitly (in forma specifica) confirmed by the Roman Pontiff without (nisi) his prior mandate. § 3.
Judgment of the following is reserved to the Roman Rota: (1) bishops in contentious cases, with due regard for the prescription of can. 1419, § 2; (2) an abbot primate or an abbot superior of a monastic congregation and the supreme moderator of religious institutes of pontifical right; (3) dioceses or other ecclesiastical persons, whether physical or juridic, which do not have a superior below the Roman Pontiff.

**Can. 1406** § 1. Acts and decisions made in violation of the prescription of can. 1404 are considered invalid. § 2. The incompetence of other judges is absolute in the cases mentioned in can. 1405.

**Can. 1407** § 1. No one can be brought into a court of first instance unless (nisi) before an ecclesiastical judge who is competent in virtue of one of the titles determined in cann. 1408-1414. § 2. The incompetence of a judge who possesses none of these titles is termed relative. § 3. The petitioner follows the forum of the respondent; but if the respondent has a number of fora, the choice of one among them is granted to the petitioner.

**Can. 1408** Anyone can be brought into court before the tribunal of one's own domicile or quasi-domicile.

**Can. 1409** § 1. A transient has the forum of the place of actual residence. § 2. A person whose domicile, quasi-domicile or place of residence is not known can be brought into court in the forum of the petitioner provided no other legitimate forum is available.

**Can. 1410** By reason of the location of a disputed item, a party can be brought into court before the tribunal of the place where the litigated thing is located whenever the action is directed against the thing or whenever it is a question of damages.

**Can. 1411** § 1. By reason of a contract a party can be brought into court before the tribunal of the place in which the contract was entered or must be fulfilled, unless (nisi) the parties agree to choose another tribunal. § 2. If the case revolves around obligations which arise from another title, the party can be brought into court before the tribunal of the place in which the obligation either originated or is to be fulfilled.

**Can. 1412** In penal cases the accused, even if absent, can be cited before the tribunal of the place where the offense was perpetrated.
**Can.** 1413 A party can be brought into court: (1) in cases which concern administration before the tribunal of the place where the administration was conducted; (2) in cases which concern inheritances or pious legacies before the tribunal of the last domicile, quasi- domicile or place of residence of the person whose inheritance or pious legacy is the object of the action, in accord with the norm of cann. 1408-1409 unless (nisi) it is a question of the mere execution of the legacy, which is to be examined according to the ordinary norms of competence.

**Can.** 1414 Unless (nisi) a prescription of the law blocks this, by reason of connection cases which are interrelated are to be tried by one and the same tribunal and in the same procedure.

**Can.** 1415 By reason of prevention, if two or several tribunals are equally competent, the tribunal which has first legitimately cited the respondent has the right to judge the case.

**Can.** 1416 Conflicts of competence between tribunals subject to the same appellate tribunal are resolved by that tribunal; if the tribunals are not subject to the same appellate tribunal, conflicts of competence are resolved by the Apostolic Signatura.

**Can.** 1417 § 1. In virtue of the primacy of the Roman Pontiff, anyone of the faithful is free to bring to or introduce before the Holy See a case either contentious or penal in any grade of judgment and at any stage of litigation. § 2. A recourse made to the Apostolic See, however, does not suspend the exercise of jurisdiction by a judge who has already begun to adjudicate the case except (praeter) in the case of an appeal; for this reason, the judge can pursue judgment up to the definitive sentence unless (nisi) the Apostolic See has informed the judge that it has called the case to itself.

**Can.** 1418 Every tribunal has the right to call upon the assistance of another tribunal to instruct a case or to communicate acts.

**Can.** 1419 § 1. The diocesan bishop is the judge of first instance in each diocese and for all cases not expressly excepted by law; he can exercise his judicial power personally or through others in accord with the following canons. § 2. But if the action concerns the rights or the temporal goods of a juridic person represented by the bishop, the appellate tribunal judges in first instance.
Can. 1420 § 1. Each diocesan bishop is bound to appoint a judicial vicar or officialis with ordinary power to judge, distinct from the vicar general unless the smallness of the diocese or the small number of cases suggests otherwise. § 2. The judicial vicar constitutes one tribunal with the bishop but he cannot judge cases which the bishop reserves to himself. § 3. The judicial vicar can be given assistants whose title is adjutant judicial vicars or vice-officiales. § 4. Both the judicial vicar and the adjutant judicial vicars must be priests of unimpaired reputations, holding doctorates or at least licentiates in canon law and not less than thirty years of age. § 5. When the see is vacant, they do not cease from their office and they cannot be removed by the diocesan administrator; when the new bishop arrives, however, they need confirmation.

Can. 1421 § 1. The bishop is to appoint diocesan judges in the diocese who are clerics. § 2. The conference of bishops can permit lay persons to be appointed judges; when it is necessary, one of them can be employed to form a collegiate tribunal. § 3. The judges are to be of unimpaired reputation and possess doctorates, or at least licentiates, in canon law.

Can. 1422 The judicial vicar, the adjutant judicial vicars and the other judges are to be appointed for a definite period of time with due regard for the prescription of can. 1420, § 5; they cannot be removed except (nisi) for legitimate and serious cause.

Can. 1423 § 1. With the approval of the Apostolic See, several diocesan bishops may agree to establish for their dioceses a single tribunal of first instance in place of the diocesan tribunals mentioned in cann. 1419-1421; in this case the group of bishops or a bishop designated by them has all the powers which a diocesan bishop has over his own tribunal. § 2. The tribunals mentioned in § 1 can be established either for any case whatsoever or only for some types of cases.

Can. 1424 In any trial a single judge can make use of two assessors, who are clerics or lay persons of upright life, to serve as his consultors.

Can. 1425 § 1. Every contrary custom being reprobated, the following cases are reserved to a collegiate tribunal of three judges: (1) contentious cases: (a) concerning the bond of sacred ordination; (b) concerning the bond of marriage with due regard for the prescriptions of cann. 1686 and 1688; (2) penal cases: (a) concerning offenses which can entail the penalty
of dismissal from the clerical state; (b) concerning the imposition or declaration of excommunication. § 2. The bishop can entrust more difficult cases or cases of greater importance to the judgment of three or five judges. § 3. Unless ( nisi) the bishop has determined otherwise for individual cases, the judicial vicar is to assign the judges in order by turn to adjudicate the individual cases. § 4. If it happens that a collegiate tribunal cannot be established for a trial of first instance, the conference of bishops can permit the bishop to entrust cases to a single clerical judge as long as the impossibility of establishing a college perdures; he is to be a cleric and is to employ an assessor and an auditor where possible. § 5. The judicial vicar is not to appoint substitutes for judges once they are assigned unless ( nisi) for a most serious reason, expressed in a decree.

Can. 1426 § 1. A collegiate tribunal must proceed as a collegial body and pass its sentences by majority vote. § 2. The judicial vicar or the adjutant judicial vicar must preside over a collegiate tribunal insofar as this is possible.

Can. 1427 § 1. If there is a controversy between religious or houses of the same clerical religious institute of pontifical right, the judge of first instance is the provincial superior unless ( nisi) the constitutions provide otherwise; if it is an autonomous monastery, it is the local abbot. § 2. With due regard for the different prescriptions of the constitutions, if it is a contentious case between two provinces, the supreme moderator himself personally or through a delegate shall be the judge in first instance; if the contention is between two monasteries, it shall be the abbot superior of the monastic congregation. § 3. If the controversy arises between religious persons, physical or juridic, of different religious institutes or even of the same clerical or lay institute of diocesan right, or between a religious person and a secular cleric, or a lay person, or a non-religious juridic person, the diocesan tribunal judges in first instance.

Can. 1428 § 1. A judge or the president of a collegiate tribunal can designate an auditor to carry out the instruction of a case, selecting one either from among the judges of the tribunal or from among the persons approved for this function by the bishop. § 2. The bishop can approve for the function of auditor clerics or lay persons who are outstanding for their good character, prudence and learning. § 3. The only task of the auditor is to collect the proofs according to the mandate of the judge and to present
them to the judge; unless (nisi) the mandate of the judge states otherwise, the auditor can in the meantime decide which proofs are to be collected and how they are to be collected if such a question perhaps arises while the auditor is exercising his or her function.

**Can.** 1429 The president of a collegiate tribunal must assign one of the collegiate judges as ponens or relator who reports on the case at the meeting of the judges and puts the sentence into writing; for a just cause the president may substitute another in place of the original relator.

**Can.** 1430 A promoter of justice is to be appointed in a diocese for contentious cases in which the public good could be at stake and for penal cases; the promoter of justice is bound by office to provide for the public good.

**Can.** 1431 § 1. In contentious cases it is the task of the diocesan bishop to judge whether or not the public good could be at stake unless (nisi) the intervention of the promoter of justice is prescribed by law or it is clearly necessary from the nature of the matter. § 2. If the promoter of justice has intervened in a preceding instance, such intervention is presumed to be necessary in a further instance.

**Can.** 1432 A defender of the bond is to be appointed in a diocese for cases concerning the nullity of sacred ordination or the nullity or dissolution of marriage; the defender of the bond is bound by office to propose and clarify everything which can be reasonably adduced against nullity or dissolution.

**Can.** 1433 In cases which require the presence of the promoter of justice or the defender of the bond, the acts are invalid if they were not cited, unless (nisi), although not cited, they were actually present, or, at least before the sentence, could have fulfilled their office by inspecting the acts.

**Can.** 1434 Unless (nisi) express provision is made to the contrary: (1) as often as the law requires the judge to hear the parties or one or other of them, the promoter of justice and the defender of the bond are also to be heard if they are present in court; (2) as often as the judge is required to decide something at the request of a party, the request of the promoter of justice or the defender of the bond has the same force when they are present in the court.
Can. 1435 It is the task of the bishop to name the promoter of justice and the defender of the bond who are to be clerics or lay persons of unimpaired reputation who hold doctorates or licentiates in canon law and are proven in prudence and in zeal for justice.

Can. 1436 § 1. The same person can hold the office of promoter of justice and of defender of the bond but not in the same case. § 2. The promoter and defender can be appointed for all cases or for particular cases; they can, however, be removed by the bishop for a just cause.

Can. 1437 § 1. A notary is to be present during each procedure so that the acts are considered null if they have not been signed by the notary. § 2. Acts which notaries draw up warrant public trust.

Can. 1438 With due regard for the prescription of can. 1444, § 1, n. 1: (1) from the tribunal of a suffragan bishop appeal is made to the metropolitan tribunal but the prescription of can. 1439 is to be observed; (2) in cases of first instance tried before the metropolitan, appeal is made to the tribunal which he has permanently designated with the approval of the Apostolic See; (3) for cases tried before a provincial superior, the tribunal of second instance is before the supreme moderator; for cases tried before the local abbot, the tribunal of second instance is before the abbot superior of the monastic congregation.

Can. 1439 § 1. If a single tribunal of first instance has been established for several dioceses in accord with the norm of can. 1423, the conference of bishops must establish a tribunal of second instance with the approval of the Apostolic See unless (nisi) these dioceses are all suffragans of the same archdiocese. § 2. The conference of bishops can establish one or several tribunals of second instance with the approval of the Apostolic See even beyond the cases mentioned in § 1. 3. The conference of bishops or a bishop designated by it has all the powers over the tribunals of second instance mentioned in § § 1 and 2 which the diocesan bishop has over his own tribunal.

Can. 1440 If competence by reason of grade in accord with cann. 1438 and 1439 is not observed, the incompetence of the judge is absolute.

Can. 1441 A tribunal of second instance must be constituted in the same way as a tribunal of first instance; nevertheless if a single judge passed
sentence in a first instance court in accord with can. 1425, § 4, the tribunal of second instance is to proceed in a collegial manner.

**Can.** 1442 The Roman Pontiff is the supreme judge for the entire Catholic world; he tries cases either personally or through the ordinary tribunals of the Apostolic See or through judges delegated by himself.

**Can.** 1443 The ordinary tribunal established by the Roman Pontiff to receive appeals is the Roman Rota.

**Can.** 1444 § 1. The Roman Rota tries: (1) in second instance, cases which have been adjudicated by the ordinary tribunals of first instance and brought before the Holy See by means of legitimate appeal; (2) in third and further instance, cases already tried by the Roman Rota itself or by any other tribunals whatsoever, unless (nisi) the case is considered res iudicata. § 2. This tribunal tries in first instance the cases mentioned in can. 1405, § 3, and other cases which the Roman Pontiff has summoned to his own tribunal and has entrusted to the Roman Rota of his own accord or at the request of the parties; unless (nisi) other provisions are made in the rescript of commission, the Rota tries these cases in second and further instance as well.

**Can.** 1445 § 1. The Supreme Tribunal of the Apostolic Signatura adjudicates: (1) complaints of nullity, petitions for restitution in integrum, and other recourses against rotal sentences; (2) recourses in cases involving the status of persons which the Roman Rota refuses to admit to a new examination; (3) exceptions of suspicion and other cases against the auditors of the Roman Rota because of acts in the exercise of their function; (4) conflicts of competence mentioned in can. 1416. § 2. This same tribunal deals with contentions legitimately referred to it which arise from an act of ecclesiastical administrative power, with other administrative controversies which are referred to it by the Roman Pontiff or by the dicasteries of the Roman Curia, and with a conflict of competence among these dicasteries. § 3. Furthermore it is the task of this Supreme Tribunal: (1) to exercise its vigilance over the correct administration of justice and to discipline advocates or procurators, if necessary; (2) to extend the competence of tribunals; (3) to promote and approve the erection of the tribunals mentioned in cann. 1423 and 1439.
**Can. 1446** § 1. With due regard for justice, all the Christian faithful especially bishops are to strive earnestly to avoid lawsuits among the people of God as much as possible and to resolve them peacefully as soon as possible. § 2. At the very start or even at any point during the litigation, whenever some hope of a happy outcome is perceived, the judge is not to neglect to encourage and assist the parties to collaborate in working out an equitable solution to the controversy as well as indicating suitable ways of reaching such a solution, perhaps even employing the services of reputable persons for mediation. § 3. If the litigation concerns the private good of the parties, the judge should find out whether it can profitably be resolved through a negotiated settlement or through arbitration in accord with the norms of cann. 1713-1716.

**Can. 1447** A person who has taken part in a case as a judge, promoter of justice, defender of the bond, procurator, advocate, witness or expert cannot afterwards in another instance validly resolve the same case as a judge or act as an assessor in another instance.

**Can. 1448** § 1. A judge is not to undertake the adjudication of a case in which the judge may have some interest due to consanguinity or affinity in any degree of the direct line and up to the fourth degree of the collateral line, due to functioning as a guardian or trustee, due to close friendship, due to great animosity, or due to a desire to make some profit or avoid some loss. § 2. In the same circumstances the promoter of justice, the defender of the bond, the assessor, and the auditor must disqualify themselves from their office.

**Can. 1449** § 1. If, in the cases mentioned in can. 1448, the judge does not withdraw, the party can lodge an objection against the judge. § 2. The judicial vicar deals with the issue of such an objection; if the judicial vicar is the one objected against, the bishop who is in charge of the tribunal deals with the issue. § 3. If the bishop himself is the judge and an objection is lodged against him, he is to disqualify himself from judging. § 4. If the objection is lodged against the promoter of justice, the defender of the bond or other officers of the tribunal, the president of the collegiate tribunal or the single judge deals with this exception.

**Can. 1450** If the objection is accepted, the persons must be changed, but the grade of the court does not change.
Can. 1451 § 1. The issue of an objection is to be solved without delay after having heard the parties, the promoter of justice or defender of the bond if they are present and an objection has not been lodged against them. § 2. The acts posited by a judge prior to an objection are valid; but those acts posited after the objection has been moved must be rescinded if the party petitions within ten days from the acceptance of the objection.

Can. 1452 § 1. In a matter which concerns private individuals only, a judge can proceed only at the request of a party; once a case has been legitimately introduced, however, a judge can and must proceed, even ex officio, in penal cases and in other cases which involve the public good of the Church or the salvation of souls. § 2. Furthermore, a judge can supply for the negligence of parties in furnishing proofs or in placing exceptions as often as it is judged necessary in order to avoid a seriously unjust sentence, with due regard for the prescriptions of can. 1600.

Can. 1453 Judges and tribunals are to see to it that, with due regard for justice, all cases are concluded as soon as possible so that in a tribunal of first instance they are not prolonged beyond a year and in a tribunal of second instance beyond six months.

Can. 1454 All persons who constitute a tribunal or assist it must take an oath that they will fulfill their function properly and faithfully.

Can. 1455 § 1. Judges and tribunal personnel are always bound to secrecy of office in a penal case; they are also thus bound in a contentious case if the parties may be harmed by the revelation of some procedural act. § 2. They are also always bound to observe secrecy concerning the discussion among the judges in a collegiate tribunal before passing the sentence and concerning the various votes and opinions offered during the discussion with due regard for the prescription of can. 1609, § 4. § 3. Moreover, as often as the nature of a case or the proofs is such that the reputation of others is endangered by divulging the acts or proofs, or an opportunity for discord is provided or scandal or some other similar disadvantage might arise, the judge can bind the witnesses, the experts, the parties and their advocates or proxies by oath to observe secrecy.

Can. 1456 The judge and all tribunal officers are forbidden to accept any gifts whatsoever on the occasion of their functioning in a trial.
Can. 1457 § 1. Judges who refuse to try a case when they are certainly and obviously competent, who declare themselves competent without any legal basis and hear and decide cases, who violate the law of secrecy or who inflict some damage on litigants out of malice or serious negligence can be punished by the competent authority with fitting penalties, including deprivation of office. § 2. Officers and personnel of the tribunal are subject to the same sanctions if they do not fulfill their function as above; the judge can also punish all of them.

Can. 1458 Cases are to be tried in the order in which they are presented and put on the docket unless ( nisi) some of them demand speedier treatment than others, which fact is to be determined in a special decree which states the reasons.

Can. 1459 § 1. Defects which can render a sentence invalid can be introduced as an exception during any stage or grade of a trial; a judge can likewise declare them ex officio. § 2. Besides the cases mentioned in § 1, dilatory exceptions, especially those which concern the persons and the manner of the trial, are to be proposed before the joinder of issues (contestatio litis), unless ( nisi) they first emerged only after it; and they are to be settled as soon as possible.

Can. 1460 § 1. If an exception is proposed against the competence of the judge, the same judge must deal with the matter. § 2. In the case of an exception of relative incompetence, if the judge finds for competence, the decision does not admit of appeal; however, a complaint of nullity and restitutio in integrum are not forbidden. § 3. But if the judge finds for incompetence, the person who feels injured can appeal to the appellate tribunal within fifteen available days (dies utiles).

Can. 1461 Judges who become aware of their absolute incompetence during any stage of a case must declare that incompetence.

Can. 1462 § 1. The exceptions that the matter has become res iudicata and that an agreement has been already reached (transactio) as well as other peremptory exceptions which are called litis finitae must be proposed and adjudicated before the joinder of issues (contestatio litis); a person who proposes them later is not to be rejected but is liable for the court costs unless ( nisi) there is proof that presentation was not maliciously delayed. § 2. Other peremptory exceptions are to be lodged during the joinder of issues
(contestatio litis) and are to be treated at their proper time in accord with the regulations which deal with incidental questions.

**Can. 1463 § 1.** Counter-claim actions cannot be lodged validly except within thirty days from the joinder of issues (contestatio litis). § 2. However, they are to be adjudicated at the same time as the original action, that is, on the same grade with it unless it is necessary to try them separately or the judge deems it more appropriate to try them separately.

**Can. 1464** Questions concerning a deposit for judicial expenses or the granting of gratuitous legal assistance which has been requested from the beginning and other such questions are to be dealt with before the joinder of issues (contestatio litis) as a general rule.

**Can. 1465 § 1.** Fatalia legis or the time limits set by law for extinguishing the right to act cannot be extended nor validly shortened unless (nisi) the parties request it. § 2. Before they have lapsed, however, judicial time limits can be extended by the judge for a just cause after hearing the parties or if they request it; such time limits, however, may never validly be shortened unless (nisi) the parties agree. § 3. But the judge is to see to it that the litigation is not overly prolonged by such extensions.

**Can. 1466** When the law does not establish time limits for positing of procedural acts, the judge must define them taking into consideration the nature of each act.

**Can. 1467** If the tribunal is closed on the day scheduled for a judicial act the time limit is extended to the first day following which is not a holiday.

**Can. 1468** To the extend that it is possible, each tribunal is to be in a permanent place which is open during specified hours.

**Can. 1469 § 1.** Judges who have been forcibly expelled from their own territory or have been impeded in the exercise of jurisdiction there can exercise jurisdiction and render a sentence outside that territory; however, the diocesan bishop should be informed of this fact by the judge. § 2. Besides the case mentioned in § 1, for a just cause and after hearing the parties, judges can travel outside their own territory in order to acquire proofs with the permission of the diocesan bishop of the place they enter and at a site designated by the bishop.
**Can. 1470 § 1.** Unless (nisi) particular law provides otherwise, while cases are being tried before a tribunal only those persons are to be present in court whom the law or the judge decides are necessary to expedite the process. § 2. With appropriate penalties a judge can demand compliance on the part of all who assist at the trial and who are seriously lacking in the respect and obedience owed the tribunal; the judge can also suspend advocates and procurators from exercising their function before ecclesiastical tribunals.

**Can. 1471** If a person to be interrogated speaks a language which is not known by the judge or the parties, a sworn interpreter designated by the judge is to be employed. Their statements, however, are to be put into writing in the original language and a translation is to be added. An interpreter is also to be employed if a deaf or mute person must be interrogated unless (nisi) the judge perhaps prefers that the person respond to questions in writing.

**Can. 1472 § 1.** Judicial acts, both the acts of the case, that is, those acts which concern the merits of the question, and the acts of the process, that is, those which pertain to the formal procedure, must be put into writing. § 2. The individual pages of the acts are to be numbered and authenticated with a seal.

**Can. 1473** Whenever the signature of the parties or witnesses is required for judicial acts and a party or a witness cannot or will not sign, this is to be noted in the acts; both the judge and the notary are to attest that the act has been read to the party or witness verbatim and that the party or witness either could not or would not sign.

**Can. 1474 § 1.** In case of appeal, a copy of the acts authenticated by the attestation of a notary is to be sent to a higher tribunal. § 2. If the acts as drawn up are in a language unknown to the higher tribunal, they are to be translated into a language known to that tribunal, with due precautions being taken that it be a faithful translation.

**Can. 1475 § 1.** At the completion of the trial documents which belong to private individuals must be returned but a copy of them is to be retained. § 2. Notaries and the chancellor are forbidden to furnish a copy of judicial acts and of documents which have been acquired for the process without a mandate from the judge.
Can. 1476 Anyone, whether baptized or not, can act in a trial; however, the respondent who has been legitimately cited must answer.

Can. 1477 Although a petitioner or respondent has appointed a procurator or an advocate, they themselves are nevertheless bound to be present in person at the trial when the law or the judge prescribes it.

Can. 1478 § 1. Minors and those who lack the use of reason can stand trial only through their parents or guardians or curators, with due regard for the prescription of § 3. § 2. If the judge decides that the rights of minors are in conflict with the rights of the parents, guardians or curators, or that the latter cannot satisfactorily safeguard the rights of the former, then they are to be represented in the trial by a guardian or curator appointed by the judge. § 3. But in spiritual cases and in cases connected with spiritual matters, if minors have attained the use of reason, they can act and respond without the consent of parents or guardian; if they have completed their fourteenth year of age, they can do so on their own; if not, through a curator appointed by the judge. § 4. Those deprived of the administration of their goods and those who are of diminished mental capacity can stand trial personally only to answer for their own offenses or at the prescription of the judge; in all other cases they must act and respond through their curators.

Can. 1479 Whenever a guardian or curator appointed by civil authority is present, this person can be admitted by an ecclesiastical judge after having heard the diocesan bishop of the person to whom the guardian or curator has been given, if this can be done; but if a guardian or curator is not present or does not appear admissible, the judge shall designate a guardian or curator for the case.

Can. 1480 § 1. Juridic persons stand trial through their legitimate representatives. § 2. In a case where the representative is lacking or is negligent, the ordinary himself can stand trial personally or through another in the name of juridic persons which are subject to his power.

Can. 1481 § 1. A party can freely appoint a personal advocate and a procurator; however, except for the cases stated in §§ 2 and 3, the party can petition and respond personally unless (nisi) the judge has decided that the services of a procurator or an advocate are necessary. § 2. The accused in a penal trial must always have an advocate either appointed by the accused or given by the judge. § 3. In a contentious trial which involves
minors or the public good except for marriage cases, the judge is to appoint ex officio a defender for a party who lacks one.

**Can. 1482** § 1. A person can appoint only a single procurator who cannot substitute another unless an expressed faculty has been granted the procurator to do this. § 2. But if several procurators are appointed by the same party for some just cause, they are to be so designated that prevention is operative among them. § 3. However, several advocates can be appointed to act together.

**Can. 1483** The procurator and the advocate must have at least attained majority and be of good reputation; furthermore, the advocate must be a Catholic unless (nisi) the diocesan bishop permits otherwise, must have a doctorate in canon law or be otherwise truly expert and must be approved by the same bishop.

**Can. 1484** § 1. Before a procurator and advocate undertake their function, they must present an authentic mandate to the tribunal. § 2. To prevent the extinction of a right, however, the judge can admit a procurator without the presentation of the mandate provided that some suitable security is furnished if necessary; the procurator's acts, however, lack all force unless the mandate is correctly presented within the peremptory time limits set by the judge.

**Can. 1485** Without a special mandate the procurator cannot validly renounce an action, instance or judicial acts, make a settlement, strike a bargain, enter into arbitration and in general do those things for which the law requires a special mandate.

**Can. 1486** § 1. For the removal of a procurator or advocate to take effect, it is necessary that they be informed and that the judge and the opposing party be notified of the removal if the joinder of issues (contestatio litis) has already taken place. § 2. After a definitive sentence has been issued, the procurator retains the right and duty to appeal unless the mandating party has renounced this.

**Can. 1487** For serious cause both the procurator and the advocate can be expelled from the tribunal by the judge by means of a decree either ex officio or at the request of a party.
Can. 1488 § 1. Both the procurator and the advocate are forbidden to win the suit through bribery or to strike a bargain for excessive profit or for a claim upon a share of the litigated thing. If they do such things, the agreement is null and the judge can fine them. Furthermore, an advocate can be suspended from office and also stricken from the list of advocates by the bishop in charge of the tribunal if it happens again and again. § 2. Advocates and procurators are liable to the same penalties if they withdraw cases from competent tribunals and submit them to other more favorable tribunals for adjudication in deceit of the law.

Can. 1489 Advocates and procurators who have betrayed their office for the sake of gifts, promises or any other reason are to be suspended from the exercise of office and fined or punished with other suitable penalties.

Can. 1490 Insofar as it is possible, permanent advocates are to be appointed in every tribunal and paid a stipend by that tribunal to exercise the function of advocate or procurator on behalf of parties who wish to choose them especially for marriage cases.

Can. 1491 Every right whatsoever is safeguarded not only by an action but also by an exception unless something to the contrary is expressly stated.

Can. 1492 § 1. Every action is terminated through prescription in accord with the norm of law or by another legitimate method except actions concerning the status of persons which are never terminated. § 2. An exception is always available and is of its very nature perpetual, with due regard for the prescription of can. 1462.

Can. 1493 A petitioner can bring a respondent to court by several actions at the same time provided they do not conflict among themselves, whether on the same or different matters, and if they do not exceed the competence of the tribunal approached.

Can. 1494 § 1. A respondent can file a counter-claim action against the petitioner before the same judge in the same trial either due to a connection of a case with the principal action or to remove or to lessen the charge of the petitioner. § 2. A counter-claim to the counter-claim is not admissible.
Can. 1495 The counter-claim action is to be presented to the judge before whom the first action was filed even if he were delegated for only one case or were otherwise relatively incompetent.

Can. 1496 § 1. A person who through at least probable arguments, has demonstrated a right to something retained by another and the threat of damage if (nisi) that thing is not placed in safekeeping, has the right to obtain its sequestration from the judge. § 2. In similar circumstances a person can obtain an order retraining another from exercising a right.

Can. 1497 § 1. Sequestration of the object is also admitted as security for credit provided (dummodo) the right of the creditor is sufficiently evident. § 2. Sequestration can also be extended to the goods of the debtor which are discovered in the possession of others under any title and to the credit of the debtor.

Can. 1498 Sequestration of a thing and an order to restrain the exercise of a right can in no way be decreed if the harm that is feared can otherwise be repaired and suitable security for its repair can be furnished.

Can. 1499 The judge, in granting sequestration of a thing or an order restraining the exercise of a right, can impose on the person a prior obligation to compensate for damages if the right is not proven.

Can. 1500 In regard to the nature and force of a possessory action the prescriptions of the civil law of the place where the thing, the possession of which is in question, is located, are to be observed.

PARTS II PROCEDURAL LAW

Sectio I The Contentious Trial topic: and Special Procedures

Title

Can. 1501 The judge cannot adjudicate any case unless (nisi) the party concerned or the promoter of justice has presented a petition in accord with the norm of the canons.

Can. 1502 A person who wishes to bring another to court must present a libellus to a competent judge, which explains the object of the controversy and requests the services of the judge.
Can. 1503 § 1. The judge may accept an oral petition if either the petitioner is impeded from presenting a libellus or the case can be easily investigated and is of lesser importance. § 2. But in either situation the judge is to require the notary to put the act into writing, which is to be read to and approved by the petitioner; this then takes the place of and has all the legal effects of a libellus written by the petitioner.

Can. 1504 A libellus which introduces a suit must: (1) express before which judge the case is being introduced, what is being petitioned and by whom the petition is being made; (2) indicate the basis for the petitioner's right and at least in general the facts and proofs which will be used to prove what has been alleged; (3) be signed by the petitioner or procurator, adding the day, month and year, as well as the address of the petitioner or procurator or the place where they say they reside for the purpose of receiving the acts; (4) indicate the domicile or quasi-domicile of the respondent.

Can. 1505 § 1. After the single judge or the president of a collegiate tribunal has recognized both that the matter is within his competence and that the petitioner does not lack legitimate personal standing in court, he must accept or reject the libellus as soon as possible through a decree. § 2. A libellus can be rejected only: (1) if the judge or the tribunal is incompetent; (2) if it is undoubtedly clear that the petitioner lacks legitimate personal standing in court; (3) if the prescriptions of can. 1504, nn. 1-3 have not been observed; (4) if from the libellus itself it is certainly obvious that it lacks any basis whatsoever and that it is impossible that any such basis would appear through a process. § 3. If the libellus has been rejected due to defects which can be corrected, the petitioner can properly draw up a new libellus and again present it to the same judge. § 4. A party is always free within ten available days (tempus utile) to lodge a reasoned recourse against the rejection of the libellus before the appellate tribunal or the college if it had been rejected by its president; the question of the rejection is to be resolved as quickly as possible.

Can. 1506 If within a month from the presentation of the libellus the judge has not issued a decree by which he accepts or rejects the libellus in accord with the norm of can. 1505, the interested party can insist that the judge fulfill his duty; but if the judge, nevertheless, remains silent for ten
days after the petitioner's insistence, the petition is considered as having been accepted.

**Can. 1507 § 1.** In the decree which accepts the libellus of the petitioner the judge or president must either call into court or cite the other parties for the joinder of issues (contestatio litis), determining whether they must respond in writing or present themselves personally before the judge in order to join the issues. But if from the written responses the judge perceives that it is necessary to call the parties together for a session, that can be determined in a new decree. § 2. If the libellus is considered as having been accepted in virtue of the norm of can. 1506, the decree of citation must be made in court within twenty days from the party's insistence on action as mentioned in that canon. § 3. But if the litigating parties de facto present themselves before the judge in order to proceed with the case, there is no need for a citation; the notary, however, is to note in the acts that the parties were present for the trial.

**Can. 1508 § 1.** The decree of citation to the trial must be forwarded immediately to the respondent and at the same time to others who are to appear. § 2. The introductory libellus is to be joined to the citation unless (nisi) for serious reasons the judge determines that the libellus is not to be made known to the respondent before the latter makes a deposition during the trial. § 3. If the suit is filed against a person who does not have the free exercise of personal rights or the free administration of the controverted items, the citation is to be made known to the guardian, curator or special procurator, as the case may be, or to the person who is bound to enter the trial in the respondent's name according to the norm of law.

**Can. 1509 § 1.** Notification of citations, decrees, sentences and other judicial acts are to be made in accordance with the norms determined in particular law through the public postal services or through another method which is the safest. § 2. The fact and method of notification must be clear in the acts.

**Can. 1510** A respondent who refuses to accept the document of citation or who prevents its arrival is considered as having been legitimately cited.

**Can. 1511** If the citation has not been legitimately communicated, the acts of the process are null, with due regard for the prescription of can. 1507, § 3. Can. 1512 Once the citation has been legitimately communicated
or the parties have appeared before the judge to pursue the case: (1) the issue ceases to be res integra; (2) the case become proper to that judge or tribunal before whom the action was begun and is competent in other respects; (3) the jurisdiction of a delegated judge is firmly established so that it does not expire when the right of the one delegating ceases; (4) prescription is interrupted unless otherwise provided; (5) the litigation begins to be pending and therefore the principle become operative: while a suit is pending, nothing new is to be introduced (lite pendente, nihil innovetur).

**Can. 1513** § 1. The joinder of issues (contestatio litis) occurs when the terms of the controversy based on the petitions and responses of the parties are specified by the decree of the judge. § 2. The petitions and responses of the parties, besides those in the libellus introducing the suit, can be expressed either in response to the citation or in a declaration made orally before the judge, in more difficult cases, however, the parties are to be called together by the judge to specify the question or questions to be answered in the sentence. § 3. The decree of the judge is to be made known to the parties; unless (nisi) they have already reached an agreement, they can within ten days make recourse to that judge that it be changed; however, the issue is to be resolved as quickly as possible by a decree of that judge.

**Can. 1514** Once the terms of the controversy have been determined, they cannot validly be changed except (nisi) for a serious reason through a new decree at the request of one party and after hearing the other parties and considering their reasons.

**Can. 1515** Once the joinder of issues (contestatio litis) has occurred, the possessor of another's property ceases to be in good faith; if therefore, the possessor is sentenced to make restitution, the profits made from the day of the joinder of issues (contestatio litis) must also be returned and any damages compensated.

**Can. 1516** Once the joinder of issues (contestatio litis) has occurred, the judge is to furnish the parties suitable time to present and complete proofs.

**Can. 1517** The prosecution of a suit begins with the citation; it ends not only with the pronouncement of a definitive sentence but also through the other methods defined by law.
Can. 1518 If the litigating party dies, or changes status, or ceases from the office on behalf of which the suit was initiated: (1) if the case is not concluded, its prosecution is suspended until the heir of the deceased, the successor or an interested party resumes the suit; (2) if the case is concluded, the judge must proceed to the final acts after having cited the procurator if present or otherwise the heir or the successor of the deceased.

Can. 1519 § 1. If a guardian, curator or procurator who is necessary in accord with the norms of can. 1481, §§ 1 and 3, ceases from office, the prosecution of the suit is suspended in the interim. § 2. However, the judge is to appoint another guardian or curator as soon as possible; the judge can appoint a procurator for the suit if the party has neglected to do so within the brief time period stated by the judge.

Can. 1520 Barring some impediment, if no procedural act is proposed by the parties for six months, the prosecution of the suit is abated. Particular law can state other time limits for abatement.

Can. 1521 Abatement takes effect by the law itself against all persons, including minors and those equivalent to minors, and it must also be declared ex officio with due regard for the right of petitioning for indemnity against tutors, guardians, administrators or procurators who have not proved that they were not at fault.

Can. 1522 Abatement extinguishes the acts of the process, but not the acts of the case, which in fact may be operative in another instance provided (dummodo) that the case involves the same persons and the same issue; as regards outsiders the acts of the case have no other value than that of documents.

Can. 1523 When a trial is abated, each of the litigants is to bear the expenses which he or she has incurred.

Can. 1524 § 1. A petitioner can renounce the instance at any stage or grade of trial; both petitioner and respondent can likewise renounce either all or some of the acts of the process. § 2. In order for them to renounce an instance, the guardians and administrators of juridic persons need to consult with or obtain the consent of those whose involvement is required to place acts which go beyond the limits of ordinary administration. § 3. In order for a renunciation to be valid it is to be made in writing and also signed by the party or by the party's procurator with a special mandate to do so; it must
be communicated to the other party, accepted, or at least not attacked, by that party, and admitted by the judge.

**Can.** 1525 A renunciation admitted by the judge has the same effects concerning the renounced acts as an abatement of an instance and it obliges the renouncing party to pay the expenses for the renounced acts.

**Can.** 1526 § 1. The burden of proof (onus probandi) rests upon the person who makes the allegations. § 2. The following do not need proof: (1) matters which are presumed by the law itself; (2) facts alleged by one of the contending parties and admitted by the other unless (nisi) proof is nonetheless demanded by the law or by the judge.

**Can.** 1527 § 1. Proofs of any type whatever which seem useful for deciding the case and which are licit can be adduced. § 2. If a party insists that a proof rejected by the judge be admitted, the judge is to determine the matter most expeditiously.

**Can.** 1528 If a party or a witness refuses to appear before the judge to testify, it is permitted to hear the person through a lay person assigned by the judge or to seek the person's declaration before a notary public or in any other legitimate manner.

**Can.** 1529 Except (nisi) for a serious cause, the judge is not to proceed to gather proofs before the joinder of issues (contestatio litis).

**Can.** 1530 The judge can always interrogate the parties so as to reveal the truth (ad veritatem eruendam) more effectively; in fact the judge must do so at the request of a party or to prove a fact which is to be established beyond doubt for the sake of the public interest.

**Can.** 1531 § 1. A party legitimately interrogated must answer and tell the whole truth. § 2. But if a party has refused to answer, it is for the judge to evaluate what can be drawn from that refusal concerning the proof of the facts.

**Can.** 1532 Unless (nisi) a serious cause persuades otherwise, the judge is to administer an oath to the parties to tell the truth or at least to confirm the truth of their testimony in cases where the public good is at stake; the judge, in accord with prudential judgment, can do the same in other cases.
Can. 1533 The parties, the promoter of justice and the defender of the bond can present to the judge items on which a party is to be interrogated.

Can. 1534 To the extent it is possible the regulations of cann. 1548, § 2, n. 1, 1552 and 1558-1565 on witnesses are to be observed in the interrogation of the parties.

Can. 1535 A judicial confession is a written or oral assertion against oneself made by any party regarding the matter under trial and made before a competent judge, whether spontaneously or upon interrogation by the judge.

Can. 1536 § 1. If it is a question of some private matter and the public good is not at stake the judicial confession of one party relieves the other parties from the burden of proof. § 2. In cases which concern the public good, however, a judicial confession and the declarations of the parties which are not confessions can have a probative force to be evaluated by the judge along with the other circumstances of the case; but complete probative force cannot be attributed to them unless (nisi) other elements are present which thoroughly corroborate them.

Can. 1537 Having weighed all the circumstances, it is for the judge to evaluate the worth of an extra-judicial confession which has been introduced into the trial.

Can. 1538 A confession or any other declaration of a party lacks all probative force if it is proved that it was made through an error of fact or it was extorted by force or grave fear.

Can. 1539 In every type of trial, proof by means of both public and private documents is admitted.

Can. 1540 § 1. Public ecclesiastical documents are those which official persons have drawn up in the exercise of their function in the Church, after having observed the formalities prescribed by law. § 2. Public civil documents are those which are considered to be such in law in accord with the laws of the individual place. § 3. Other documents are private ones.

Can. 1541 Unless (nisi) contrary and evident arguments show otherwise, public documents are to be trusted concerning everything which is directly and principally affirmed in them.
**Can.** 1542 A private document whether acknowledged by a party or recognized by the judge has the same probative force against its author or signer and those deriving a case from them as does an extra-judicial confession; against outsiders it has the same force as the declarations of the parties which are not confessions, in accord with the norm of can. 1536, § 2.

**Can.** 1543 If the documents are shown to have been erased, corrected, interpolated, or affected by another such defect, it is for the judge to assess whether such documents have value and how much.

**Can.** 1544 Documents do not have probative force in a trial unless (nisi) they are originals or presented in authentic copy and are deposited with the chancery of the tribunal so that they may be examined by the judge and the opposing party.

**Can.** 1545 The judge can order that a document which is common to both parties be exhibited in the process.

**Can.** 1546 § 1. Even if documents are common, no one is obliged to exhibit those which cannot be communicated without risk of harm in accordance with the norm of can. 1548, § 2, n. 2, or without risk of violating the obligation to observe secrecy. § 2. Nonetheless, if some excerpt, at least, of a document can be transcribed and can be presented in copy form without the above-mentioned hazards the judge can decree that it be produced.

**Can.** 1547 Proof by means of witnesses is admitted in every kind of case under the supervision of the judge.

**Can.** 1548 § 1. When the judge legitimately interrogates witnesses they must tell the truth. § 2. With due regard for the prescription of can. 1550, § 2, n. 2, the following are exempted from the obligation to answer: (1) clerics in regard to whatever was made known to them in connection with their sacred ministry; civil officials, doctors, midwives, advocates, notaries and others who are bound to professional secrecy, even by reason of advice rendered, as regards matters subject to this secrecy; (2) persons who fear that infamy, dangerous vexations or other serious evils will happen to themselves, or their spouse, or persons related to them by consanguinity or affinity, as a result of their testimony.

**Can.** 1549 All persons can be witnesses unless (nisi) they are expressly excluded by law, either completely or partially.
**Can. 1550 § 1.** Minors below the fourteenth year of age and those who are feebleminded are not allowed to give testimony; however, they may be heard by reason of a decree of the judge which declares such a hearing expedient. § 2. The following are considered incapable: (1) those who are parties in the case, or who represent the parties in the trial; the judge and assistants, the advocate and others who are assisting or have assisted the parties in the same case; (2) priests as regards everything which has become known to them by reason of sacramental confession, even if the penitent requests their manifestation; moreover, whatever has been heard by anyone or in any way on the occasion of confession cannot be accepted as even an indication of the truth.

**Can. 1551** The party who has introduced a witness can forego the examination of the witness; but the opposing party can demand that the witness be examined notwithstanding that action.

**Can. 1552 § 1.** When proof by means of witnesses is demanded, their names and domicile are to be made known to the tribunal. § 2. The items of discussion upon which interrogation of the witnesses is sought are to be presented within the time limit set by the judge; otherwise the petition is to be considered as abandoned.

**Can. 1553** It is the judge's responsibility to curb an excessive number of witnesses.

**Can. 1554** Before witnesses are examined, their names are to be made known to the parties; however, if in the prudent assessment of the judge, that cannot be done without serious difficulty, it is to be done at least before the publication of the testimony.

**Can. 1555** With due regard for the prescription of can. 1550, a party can request that a witness be excluded if a just cause for exclusion is demonstrated before the interrogation of the witness.

**Can. 1556** The citation of a witness is done by a decree of the judge made known to the witness according to law.

**Can. 1557** A witness who has been duly cited is to appear or inform the judge of the reason for the absence.

**Can. 1558 § 1.** Witnesses must be examined at the tribunal unless (nisi) it appears otherwise appropriate to the judge. § 2. Cardinals, patriarchs,
bishops and those who, by the law of their state, enjoy a similar right, are to be heard in a place which they themselves select. § 3. The judge is to decide where those are to be heard for whom it is impossible or difficult to come to the tribunal because of distance, illness or other impediment with due regard for the prescriptions of cann. 1418 and 1469, § 2. Can. 1559 The parties may not assist at the examination of witnesses unless ( nisi ) the judge believes that they must be admitted, especially when the matter concerns the private good. On the other hand, their advocates or their procurators may assist unless ( nisi ) the judge believes that the process must be carried on in secret because of the circumstances of things or persons.

Can. 1560 § 1. Each of the witnesses must be examined individually. § 2. If the witnesses disagree among themselves or with a party in a serious matter the judge can bring them together or have them come to an agreement with one another, precluding disputes and scandal insofar as it is possible.

Can. 1561 The examination of a witness is conducted by the judge, a delegate or an auditor, who is to be assisted by a notary; as a result, if the parties, or the promoter of justice, or the defender of the bond, or the advocates who are present at the examination have further questions to be put to the witness, they are to propose these questions not to the witness but to the judge or the person taking the judge's place who is to ask them, unless ( nisi ) particular law provides otherwise.

Can. 1562 § 1. The judge is to call to the attention of the witness the serious obligation to tell the whole truth and only the truth. § 2. The judge is to administer the oath to the witness in accord with can. 1532; but the witness who refuses to take it is to be heard without the oath.

Can. 1563 The judge, first of all, is to establish the identity of the witness; the judge should seek out what is the relationship of the witness with the parties, and, when addressing specific questions to the witness regarding the case, the judge is also to inquire about the sources of the witness' knowledge and the precise time the witness learned what is asserted.

Can. 1564 The questions are to be brief, accommodated to the intelligence of the person being interrogated, not comprising several points at the same time, not captious, nor crafty, nor suggestive of the answer, free from every kind of offense and pertinent to the case being tried.
Can. 1565 § 1. The questions must not be communicated to the witnesses ahead of time. § 2. However, if the matters which are to be testified to are so removed from memory that unless ( nisi) they are recalled earlier they cannot be affirmed with certainty, the judge may advise the witness of some matters if it is thought that this can be done without danger.

Can. 1566 Witnesses are to give testimony orally; they are not to read from written memoranda, unless ( nisi) there is question of calculation and accounts; in such a case they may consult the notes which they brought with them.

Can. 1567 § 1. The answer is to be put in writing at once by the notary who must report the exact words of the testimony given, at least as regards those points which touch directly upon the matter of the trial. § 2. Use of a tape recorder is allowed provided ( dummodo) that, afterwards, the answers are transcribed and are signed by those making the depositions, if possible.

Can. 1568 The notary is to make mention in the acts whether the oath was taken, omitted, or refused, also of the presence of the parties and of other persons, the questions added ex officio and, in general, everything noteworthy which may have occurred while the witnesses were being examined.

Can. 1569 § 1. At the conclusion of the examination what the notary has put in writing from the deposition must be read to the witness or the witness must be given an opportunity to listen to the tape recording of the deposition with the option of adding to, suppressing, correcting or changing it. § 2. Finally the acts must be signed by the witness, the judge and the notary.

Can. 1570 Although witnesses have already been examined, they can be recalled for another examination at the request of a party or ex officio but before the acts or the testimony have been published; this is true if the judge believes such a reexamination necessary or useful, provided ( dummodo), however, that there is no danger of collusion or corruption.

Can. 1571 In accord with an equitable assessment of the judge, witnesses must be compensated both for the expenses they have incurred and for the income they have lost by rendering testimony.
Can. 1572 In evaluating testimony, after having obtained testimonial letters if need be, the judge should consider: (1) the condition and good reputation of the person; (2) whether the witness testifies in virtue of personal knowledge, especially what has been seen and heard personally, or whether the testimony is the witness' opinion, or a rumor or hearsay from others; (3) whether the witness is reliable and firmly consistent or rather inconsistent, uncertain or vacillating; (4) whether the witness has supporting witnesses or whether there is support from other sources of proof.

Can. 1573 The deposition of a single witness cannot constitute full proof unless (nisi) a witness acting in an official capacity makes a deposition regarding duties performed ex officio or unless circumstances of things and persons suggest otherwise.

Can. 1574 The services of experts must be used whenever their examination and opinion, based on the laws of art or science, are required in order to establish some fact or to clarify the true nature of something by reason of a prescription of the law or a judge.

Can. 1575 It is the responsibility of the judge either to name experts after listening to the parties and the names they propose, or to make use of reports, if warranted, already drawn up by other experts.

Can. 1576 Experts can be excluded or rejected for the same reasons that witnesses can be.

Can. 1577 § 1. After paying attention to those points which may have been brought forward by the litigants, the judge is to specify by a decree the individual points on which the expert's services must focus. § 2. The acts of the case and other documents and aids which the expert may need in order to function properly and faithfully must be turned over to the expert. § 3. After listening to the expert, the judge should fix the time within which the examination is to be carried out and the report presented.

Can. 1578 § 1. Each of the experts should draw up a report distinct from the others unless (nisi) the judge orders that one report be made and signed by the experts individually; if this latter is done, differences of opinion, if any, are to be carefully noted. § 2. The experts must indicate clearly by what documents or other apt means they have been informed about the identity of persons, things or places, by what path and method they proceeded in discharging the function given to them and on what grounds,
for the most part, their conclusions are based. § 3. An expert can be summoned by the judge to supply further explanations which may seem necessary.

Can. 1579 § 1. The judge is to weigh attentively not only the conclusions of the experts, even when they are concordant, but also the other circumstances of the case. § 2. In giving the reasons for the decision, the judge must express what considerations prompted him or her to admit or reject the conclusions of the experts.

Can. 1580 Both the expenses and the stipends which must be paid to the experts are to be determined justly and equitably by the judge with due regard for particular law.

Can. 1581 § 1. The parties may designate private experts who must be approved by the judge. § 2. If the judge admits them, they may inspect the acts of the case if necessary and be present at the discharging of the court experts' function; moreover they can always present their own report.

Can. 1582 If in order to settle a case the judge considers it opportune to have access to a given place or to inspect something, this should be specified in a decree which describes in summary fashion those elements which must be exhibited at the access, after hearing the parties.

Can. 1583 When the recognizance has been completed, a report of it is to be drawn up.

Can. 1584 A presumption is a probably conjecture about an uncertain matter; one is a presumption of law, which is established by the law itself; another is human, which is formulated by a judge.

Can. 1585 A person who has a favorable legal presumption is freed from the burden of proof which then devolves upon the other party.

Can. 1586 The judge is not to formulate presumptions which are not determined by law unless (nisi) they arise from a certain and determined fact which is directly connected with the subject matter of the controversy.

Can. 1587 An incidental case is had whenever after the trial has begun by the citation, a question is proposed which is so pertinent to the case that it very often must be resolved before the principal question, although it is not expressly contained in the libellus introducing the suit.
**Can.** 1588 An incidental case is proposed in writing or orally before the judge who is competent to settle the principal case with an indication of the connection between it and the principal case.

**Can.** 1589 § 1. The judge, having received the petition and heard the parties, is to decide very promptly whether the proposed incidental question seems to have a basis and a connection with the principal issue, or whether it must be rejected from the outset; and, if it is admitted, whether it is of such seriousness that it must be resolved by an interlocutory sentence or by a decree. § 2. On the other hand, if the judge decides that the incidental question is not to be resolves before the definitive sentence, the judge is to decree that it will be considered when the principal case is settled.

**Can.** 1590 § 1. If the incidental question must be resolved by sentence, the norms of the oral contentious process are to be observed, unless ( nisi) the judge decides otherwise given the seriousness of the matter. § 2. But if it must be resolved by decree, the tribunal may turn the matter over to the auditor or to the presiding officer.

**Can.** 1591 Before the principal case is closed, if there is just cause, the judge or the tribunal can revoke or reform the decree or the interlocutory sentence either at the request of a party or ex officio after hearing the parties.

**Can.** 1592 § 1. If the respondent, after having been cited, has neither appeared nor offered a suitable excuse for being absent, nor responded in accord with can. 1507, § 1, the judge is to declare the respondent absent from the trial and is to decree that the case should proceed to the definitive sentence and its execution, while observing all the formalities which are to be observed. § 2. Before issuing the decree mentioned in § 1, the judge must have proof that the citation drawn up by law reached the respondent within available time even by issuing a new citation if necessary.

**Can.** 1593 § 1. If the respondent is present in court later or responds before the settlement of the case, the respondent can adduce conclusions and proofs, with due regard for the prescription of can. 1600; however the judge is to take care that the trial is not intentionally prolonged through rather long and unnecessary delays. § 2. Even if the respondent has not appeared or responded before the settlement of the case, the respondent can use challenges against the sentence; if the respondent proves that there
was a legitimate impediment for being detained which without personal fault was unable to be made know earlier, the respondent can use a complaint of nullity.

**Can. 1594** If the petitioner has not appeared on the day and at the hour set for the joinder of issues (contestatio litis) and has not offered a suitable excuse: (1) the judge is to cite the petitioner again; (2) a petitioner who does not obey the new citation is presumed to have renounced the suit in accord with cann. 1524-1525; (3) but if the petitioner later wishes to intervene in the process, can. 1593 is to be observed.

**Can. 1595** § 1. A party who is absent from the trial, whether the petitioner or the respondent, and who has not given proof of a just impediment, is obliged both to pay the expenses of the lawsuit which were incurred because of the absence and also to provide indemnity to the other party, if necessary. § 2. If both the petitioner and the respondent were absent from the trial, they are jointly obliged to pay the expenses of the lawsuit.

**Can. 1596** § 1. An interested party can be admitted to intervene in a case at any stage of the suit, either as a party defending one's own right or as an accessory to help a given litigant. § 2. However, in order to be admitted, such an interested party before the conclusion of the case must present to the judge a libellus briefly demonstrating the right to intervene. § 3. The person who intervenes in a case must be admitted at that stage which the case has reached with a brief and peremptory period of time assigned to present proofs if the case has reached the probatory stage.

**Can. 1597** After hearing the parties, the judge must summon to the trial a third party whose intervention seems necessary.

**Can. 1598** § 1. After the proofs have been collected the judge by a decree must, under pain of nullity, permit the parties and their advocates to inspect at the tribunal office the acts which are not yet known to them; a copy of the acts can also be given to advocates upon request; however, in cases concerned with the public good, in order to avoid very serious dangers, the judge can decree that a given act is not to be shown to anyone, with due concern, however, that the right of defense always remains intact. § 2. In order to complete the proofs the parties may propose additional proofs to
the judge; when these have been collected there is an occasion for repeating the decree mentioned in § 1 if the judge thinks it necessary.

**Can. 1599 § 1.** When everything pertinent to the production of proofs has been completed, it is time for the conclusion of the case. § 2. The conclusion takes place whenever the parties declare that they have nothing more to add or the time set by the judge for proposing proofs has expired, or the judge declares that the case is sufficiently instructed. § 3. The judge is to issue a decree that the conclusion of the case has been completed, in whatever manner it took place.

**Can. 1600 § 1.** After the conclusion of the case, the judge can still call the same or other witnesses, or arrange for other proofs which had not been previously asked for, only: (1) in cases in which it is a question solely of the private good of the parties and if all the parties give consent; (2) in other cases, after hearing the parties and provided that there exists a serious reason and all danger of fraud or subornation is removed; (3) in all cases, whenever it is likely that the future sentence may turn out to be unjust because of the reasons listed in can. 1645, § 1, nn. 1-3, if (nisi) new proof is not admitted. § 2. However, the judge can order or allow that a document be exhibited which, perhaps, could not have been exhibited earlier, through no fault of the interested party. § 3. The new proofs are to be published with due regard for can. 1598, § 1. Can. 1601 After the conclusion of the case, the judge is to determine an appropriate period of time for the presentation of defense briefs or observations.

**Can. 1602 § 1.** The defense briefs and observations are to be in writing unless (nisi) the judge with the consent of the parties decides that an oral debate before the tribunal is sufficient. § 2. If the defense briefs together with the principal documents are to be printed, the prior authorization of the judge is required but with the obligation of secrecy if it exists. § 3. The regulations of the tribunal are to be observed as regard the length of the defense briefs, the number of copies and other additional matters of this kind.

**Can. 1603 § 1.** After the defense briefs and observations have been communicated to each one, both parties are permitted to present rejoinders within a short period of time set by the judge. § 2. This right is granted to the parties only once unless (nisi) it seems to the judge that it must be granted a second time for a serious reason; however, in that case, the grant
made to one party is considered made also the other party. § 3. The promoter of justice and the defender of the bond have the right to reply again to the rejoinders of the parties.

**Can. 1604** § 1. It is absolutely forbidden that information given to the judge by the parties or the advocates or other persons remain outside the acts of the case. § 2. If the discussion of the case has been done in writing, the judge can determine that moderate oral debate take place before the tribunal to elucidate certain questions.

**Can. 1605** A notary is to be present at the oral debate mentioned in cann. 1602, § 1 and 1604, § 2, so that, if the judge orders it or if a party requests it and the judge consents, the notary can immediately record in writing the points discussed and the conclusions.

**Can. 1606** If the parties neglect to prepare a defense brief within the time available to them, or if they entrust themselves to the knowledge and the conscience of the judge, the judge can pronounce sentence at once after requesting the observations of the promoter of justice and of the defender of the bond when they are involved in the trial, if the issue is plainly and fully known from the acts and proofs.

**Can. 1607** After the case has been tried in a judicial manner, if it is the principal case, it is settled by the judge by a definitive sentence; if it is an incidental case, it is settled by an interlocutory sentence, with due regard for the prescription of can. 1589, § 1. Can. 1608 § 1. For the pronouncement of any kind of sentence, there must be in the mind of the judge moral certitude regarding the matter to be settled by the sentence. § 2. The judge must derive this certitude from the acts and the proofs. § 3. However, the judge must evaluate the proofs conscientiously with due regard for the prescriptions of the law concerning the efficacy of certain proofs. § 4. A judge who cannot arrive at this certitude is to pronounce that the right of the petitioner is not established, and is to dismiss the respondent as absolved, unless (nisi) there is a question of a case which enjoys the favor of the law, in which case the decision must be in favor of it.

**Can. 1609** § 1. If the tribunal is collegiate, the presiding judge of the college is to determine on what day and at what hour the judges are to convene for their deliberation; and the meeting is to be held at the tribunal unless (nisi) a special reason suggests otherwise. § 2. On the day assigned
for the meeting, the judges shall individually submit in writing their conclusions on the merits of the case and the reasons, both in law and in fact, for arriving at these conclusions, which are to be appended to the acts of the case and are to be kept secret. § 3. After the invocation of the Divine Name, the conclusions of the individual judge are to be made known in the order of precedence, but beginning always with the ponens or the relator of the case, and there is to be a discussion under the leadership of the presiding judge, especially in order to decide what is to be determined in the dispositive part of the sentence. § 4. In the discussion, however, each judge has the right to retract his or her original conclusions; on the other hand, a judge who does not wish to accede to the decision of the others, can demand that his or her conclusions be transmitted to the higher tribunal if there is an appeal. § 5. But if the judges are unwilling or unable to arrive at a sentence in the first discussion, the decision can be deferred to another meeting but not beyond one week unless (nisi) the instruction of the case must be completed in accord with the norm of can. 1600.

**Can. 1610** § 1. If there is only one judge, he himself will write the sentence. § 2. In a collegiate tribunal it is the duty of the ponens or relator to write the sentence, drawing the reasons from those which the individual judges brought out in the discussion, unless (nisi) it has been previously decided by the majority of the judges which reasons are to be preferred; then the sentence is to be submitted for the approval of the individual judges. § 3. The sentence must be issued not beyond one month from the day on which the case was settled, unless (nisi), in a collegiate tribunal, the judges set a longer period of time for a serious reason.

**Can. 1611** A sentence must: (1) settle the controversy discussed before the tribunal with an appropriate response given to each one of the questions; (2) determine what obligations of the parties arise from the trial and how they must be fulfilled; (3) set forth the reasons, that is, the motives both in law and in fact on which the dispositive section of the sentence is based; (4) make a determination about the expenses of the suit.

**Can. 1612** § 1. After the invocation of the Divine Name, the sentence must express in sequence who is the judge or the tribunal; who is the petitioner, the respondent, the procurator, with the names and domiciles correctly indicated; the promoter of justice and the defender of the bond, if they took part in the trial. § 2. Next, it must briefly report the facts together

btcajx
with the conclusions of the parties and the formulation of the doubts. § 3. Following these points is the dispositive section of the sentence preceded by the reasons on which it is based. § 4. It is to close with an indication of the day and place where it was rendered and with the signature of the judge or, if it is a collegiate tribunal, with the signatures of all the judges and the notary.

Can. 1613 The regulations mentioned above concerning a definitive sentence are to be adapted to an interlocutory sentence.

Can. 1614 The sentence is to be published as soon as possible with an indication of the ways in which it can be challenged; it has no force before publication even if the dispositive section has been made known to the parties with the permission of the judge.

Can. 1615 The publication or announcement of the sentence can be made either by giving a copy of the sentence to the parties or their procurators or by sending a copy to them in accord with the norm of can. 1509.

Can. 1616 § 1. If in the text of the sentence either an error in calculations has crept in, or a material error has occurred in transcribing the dispositive section, or reporting the facts or the petitions of the parties, or if the points required by can. 1612, § 4 were omitted, the sentence must be corrected or completed at the request of the parties or ex officio by the tribunal which issued the sentence; the parties, moreover, must always be heard and a decree appended at the bottom of the sentence. § 2. If any party objects, the incidental question is to be settled by decree.

Can. 1617 The other pronouncements of a judge, over and above the sentence, are decrees which, if they are not merely procedural, have not force unless (nisi) they express the reasons at least in a summary fashion, or refer to reasons expressed in some other act.

Can. 1618 An interlocutory sentence or a decree has the force of a definitive sentence if it stops the trial, or if it puts and end to the trial or to some grade of the trial as regards at least some party in the case.

Can. 1619 With due regard for cann. 1622 and 1623, nullities of acts which are established by positive law and which, although they were known to the party proposing the complaint, have not be denounced to the judge
before the sentence, are sanctioned by the sentence itself if it is a case involving the good of private individuals.

**Can. 1620** A sentence is vitiated by irremediable nullity if: (1) it was rendered by a judge who is absolutely incompetent; (2) it was rendered by a person who lacks the power of judging in the tribunal in which the case was settled; (3) the judge passed the sentence under duress from force or grave fear; (4) the trial was instituted without the judicial petition mentioned in can. 1501, or was not instituted against some respondent; (5) it was rendered between parties one of whom at least did not have standing in court; (6) one person acted in the name of another without a legitimate mandate; (7) the right of defense was denied to one or other party; (8) it did not settle the controversy even partially.

**Can. 1621** The complaint of nullity mentioned in can. 1620 can always be proposed by way of exception in perpetuity and by way of action before the judge who pronounced the sentence within ten years from the date of publication of the sentence.

**Can. 1622** A sentence is vitiated by remediable nullity only, if: (1) it was rendered by an illegitimate number of judges contrary to the prescription of can. 1425, § 1; (2) it does not contain the motives, that is, the reasons for the decision; (3) it lacks the signatures prescribed by law; (4) it does not contain reference to the year, month, day and place in which it was pronounced; (5) it is based on a judicial act which is null and whose nullity was not sanctioned according to the norm of can. 1619; (6) it was rendered against a party who was legitimately absent as provided for in can. 1593, § 2. Can. 1623 The complaint of nullity in the cases mentioned in can. 1622 can be proposed within three months from the notification of publication of the sentence.

**Can. 1624** The judge who pronounced the sentence examines the complaint of nullity; but if the party fears that the judge who pronounced the sentence which is being challenged by the complaint of nullity, may be prejudiced and, as a result, regards him or her as suspect, the party can demand that another judge be substituted according to the norm of can. 1450.

**Can. 1625** A complaint of nullity can be proposed together with an appeal within the time determined for an appeal.
Can. 1626 § 1. Not only the parties who feel themselves aggrieved can file a complaint of nullity but also the promoter of justice or the defender of the bond whenever they have the right to intervene. § 2. A judge himself can ex officio retract or amend an invalid sentence which he has pronounced, within the time period for acting set by can. 1623 unless (nisi) meanwhile an appeal together with a complaint of nullity has been filed, or unless the nullity has been sanated during the course of the time mentioned in can. 1623.

Can. 1627 Cases involving a complaint of nullity can be treated according to the norms for the oral contentious process.

Can. 1628 The party who feels aggrieved by a given sentence and likewise the promoter of justice and the defender of the bond in cases in which their presence is required, have the right to appeal from a sentence to a higher judge, with due regard for the prescription of can. 1629.

Can. 1629 There is no room for appeal: (1) from a sentence of the Supreme Pontiff himself or of the Apostolic Signatura; (2) from a sentence vitiated by nullity unless it is joined with a complaint of nullity according to the norm of can. 1625; (3) from a sentence which has become res iudicata; (4) from the decree of a judge or an interlocutory sentence which does not have the force of a definitive sentence, unless it is joined with an appeal from a definitive sentence; (5) from a sentence or from a decree in a case in which the law provides for a settlement of the matter as quickly as possible.

Can. 1630 § 1. An appeal must be filed before the judge who pronounced the sentence within the peremptory time limit of fifteen available days (tempus utile) from notification of the publication of the sentence. § 2. If it is made orally, the notary is to put it in writing in the presence of the appellant.

Can. 1631 If a question arises regarding the right of appeal, the appellate tribunal should examine it as quickly as possible according to the norms of the oral contentious process.

Can. 1632 § 1. If in the appeal there is no indication of the tribunal to which it is directed, it is presumed to be made to the tribunal mentioned in cann. 1438 and 1439. § 2. If the other party has recourse to another appellate tribunal, the tribunal of higher grade examines the case, with due regard for can. 1415.
Can. 1633 An appeal must be prosecuted within a month of its being filed before the judge to whom it is directed, unless ( nisi) the judge from whom appeal is made has set a longer period of time for the party to prosecute it.

Can. 1634 § 1. In order to prosecute an appeal, it is required and suffices that the party call upon the services of the higher judge for the emendation of the challenged sentence, append a copy of this sentence, and indicate the reasons for the appeal. § 2. If the party is unable to obtain a copy of the challenged sentence from the tribunal from which the appeal is being made with the available time, the time limits do not run out in the interval; and the impediment must be indicated to the appellate judge who is to bind the judge from whom the appeal is made with a precept to perform his duty as soon as possible. § 3. Meanwhile the judge from whom the appeal is being made must transmit the acts to the appellate judge according to the norm of can. 1474.

Can. 1635 If the deadline for appeal either before the judge from whom the appeal is being made or before the judge to whom the appeal is directed has passed without result, the appeal is considered abandoned.

Can. 1636 § 1. The appellant can renounce the appeal with the effects mentioned in can. 1525. § 2. If the appeal was proposed by the defender of the bond or the promoter of justice, it can be renounced by the defender of the bond or the promoter of justice of the appellate tribunal unless ( nisi) the law provides otherwise.

Can. 1637 § 1. An appeal lodged by the petitioner also benefits the respondent and vice versa. § 2. If there are several respondents or petitioners, and if the sentence is challenged by only one or against only one of them, the challenge is considered made by all of them and against all of them whenever the matter sought is indivisible or it is a joint obligation. § 3. If an appeal is filed by one party regarding one part of the sentence, the other party can place an incidental appeal regarding the other parts within a peremptory time period of fifteen days from the date of being notified of the principal appeal even though the deadline for an appeal has expired. § 4. Unless ( nisi) there is evidence to the contrary, it is presumed that an appeal is made against all parts of a sentence.

Can. 1638 An appeal suspends the execution of a sentence.
Can. 1639 § 1. With due regard for the prescription of can. 1683, a new basis for petitioning may not be admitted at the appellate level not even by way of helpful cumulation; consequently, the joinder of issues (contestatio litis) can focus only on whether the prior sentence is to be confirmed or revised, either totally or partially. § 2. Moreover, new proofs are admitted only in accord with the norm of can. 1600.

Can. 1640 At the appellate level the procedure is the same as in first instance insofar as it is applicable; however, immediately after the joinder of issues has taken place in accord with the norm of cann. 1513, § 1 and 1639, § 1, the case is to be discussed and the sentence rendered unless (nisi) perhaps the proofs must be completed.

Can. 1641 With due regard for the prescription of can. 1643, a res iudicata results: (1) if two concordant sentences have been issued between the same persons regarding the same petition and arising out of the same basis for petitioning; (2) if an appeal against the sentence has not been filed within the available time; (3) if, at the appellate level, the prosecution of the suit has been stopped or renounced; (4) if a definitive sentence has been rendered from which no appeal is granted according to the norm of can. 1629.

Can. 1642 § 1. A res iudicata enjoys the stability of law and cannot be directly challenged except in accord with the norm of can. 1645, § 1. § 2. It settles an issue between the parties and gives rise to an action for execution and an exception of res iudicata which the judge can declare ex officio to prevent a new introduction of the same case.

Can. 1643 Cases concerning the status of persons, especially those concerning the separation of spouses, never become a res iudicata.

Can. 1644 § 1. If two concordant sentences have been pronounced in a case concerning the status of persons, it can be appealed at any time to an appellate tribunal if new and serious proofs or arguments are brought forward within the peremptory time period of thirty days from the proposed challenge. However, within a month from the presentation of the new proofs and arguments, the appellate tribunal must settle by decree whether a new presentation of the case must be admitted or not. § 2. An appeal to a higher tribunal to obtain a new presentation of the case does not suspend the execution of the sentence, unless (nisi) either the law provides otherwise or
the appellate tribunal orders its suspension, in accord with the norm of can. 1650, § 3. Can. 1645 § 1. Restitutio in integrum is granted against a sentence which has become a res iudicata provided (dummodo) that there is clear proof of its injustice. § 2. However, clear proof of injustice is verified only if: (1) the sentence is so based on proofs which are later discovered to be false so that without those proofs the dispositive section of the sentence would not be sustained; (2) afterwards documents have been found which undoubtedly prove new facts which demand a contrary decision; (3) the sentence was pronounced because of the fraud of one party which harmed the other; (4) a prescription of the law which is not merely procedural has been evidently neglected; (5) the sentence is contrary to a preceding sentence which has become a res iudicata.

Can. 1646 § 1. Restitutio in integrum for the reasons mentioned in can. 1645, § 2, nn. 1-3, must be sought from the judge who issued the sentence, within three months to be computed from the date of one's becoming aware of the reasons. § 2. Restitutio in integrum for the reasons mentioned in can. 1645, § 2, nn. 4 and 5 must be sought from the appellate tribunal within three months from notification of the publication of the sentence; but if, in the case mentioned in can. 1645, § 2, n. 5, notification of the preceding decision is had later, the time limit runs from this notification. § 3. The time limits mentioned above do not expire as long as the injured person is a minor.

Can. 1647 § 1. A petition of restitutio in integrum suspends the execution of a sentence if the execution has not yet begun. § 2. If, however, from probably indications there is a suspicion that the petition has been made in order to delay the execution of the sentence, the judge can decree that the sentence be executed but with due caution being taken to indemnify the person seeking restitutio in integrum if it is granted.

Can. 1648 If restitution in integrum is granted, the judge must pronounce on the merits of the case.

Can. 1649 § 1. The bishop whose responsibility it is to supervise the tribunal, is to determine norms regarding: (1) the parties to be liable for paying or compensating for judicial expenses; (2) the honoraria for procurators, advocates, experts and interpreters and the indemnification of witnesses; (3) the granting of gratuitous legal assistance or a diminution of expenses; (4) the recovery of damages which are owed by the one who not
only lost the case but also engaged in litigation rashly; (5) the depositing of money or the guarantees to be made concerning the expenses to be paid and the damages to be recovered. § 2. From a pronouncement relating to expenses, honoraria and recovery of damages, there is no separate appeal; but the party can have recourse within fifteen days to the same judge who can adjust the assessment.

**Can.** 1650 § 1. A sentence which has become a res iudicata can be executed with due regard for the prescription of can. 1647. § 2. The judge who rendered the sentence and also the appellate judge if an appeal has been filed, can ex officio or at the request of a party order a provisional execution of a sentence which has not yet become a res iudicata after having arranged, if the case warrants, for the rendering of appropriate guarantees if there is a question of provisions or payments for necessary sustenance or if some other just cause is pressing. § 3. On the other hand if the sentence mentioned in § 2 is challenged and if the judge who must take cognizance of the challenge sees that it is probably well-founded and irreparable harm could arise from the execution of the sentence, the judge can suspend its execution or subject it to a safeguard.

**Can.** 1651 There can be no execution of a sentence prior to an executory decree of the judge in which it is stated that the sentence must be executed; this decree is to be included in the text of the sentence or issued separately, according to the different types of cases.

**Can.** 1652 If the execution of the sentence demands a prior rendering of accounts, it is an incidental question which must be decided by the judge who passed the sentence ordering the execution.

**Can.** 1653 § 1. Unless (nisi) particular law determines otherwise, the bishop of the diocese in which the first instance sentence was rendered, must execute the sentence personally or through another. § 2. If he refuses of neglects to do so, the execution belongs to the authority to which the appellate tribunal is subject in accord with the provision of can. 1439, § 3, at the request of an interested party or ex officio. § 3. Among religious the execution of a sentence belongs to the superior who passed the sentence to be executed or who delegated the judge.

**Can.** 1654 § 1. Unless (nisi) something is left to the discretion of the executor in the text of the sentence, the executor must execute the
sentence according to the obvious meaning of the words. § 2. The executor may consider exceptions regarding the manner and force of the execution but not regarding the merits of the case; but if it has been discovered from other sources that the sentence is invalid or manifestly unjust according to the norm of cann. 1620, 1622 and 1645 the executor is to refrain from executing it, refer the matter to the tribunal which issued the sentence, and inform the parties.

**Can. 1655** § 1. As regards real actions, wherever a given thing has been adjudicated as belonging to the petitioner, it must be handed over to the petitioner as soon as there is a res iudicata. § 2. However, as regards personal actions, when the respondent is condemned to furnish something mobile, to pay money, or to give or to do something else, the judge in the text of the sentence, or the executor with personal discretion and prudence is to set a time limit for fulfilling the obligation, which, however, is not to be less than fifteen days nor more than six months.

**Sectio II**

**Can. 1656** § 1. All cases which are not excluded by law can be tried in the oral contentious process dealt with in this section, unless ( nisi) a party requests the ordinary contentious process. § 2. If the oral process is used outside of cases permitted by law, the judicial acts are null.

**Can. 1657** The oral contentious process takes place in first instance before a single judge according to the norm of can. 1424.

**Can. 1658** § 1. In addition to the points mentioned in can. 1504, the libellus by which the suit is introduced must: (1) set forth briefly, completely and clearly the facts on which the requests of the petitioner are based; (2) so indicate the proofs by which the petitioner intends to demonstrate the facts, but which cannot be produced at once, so that they can be gathered at once by the judge. § 2. The documents on which the petition is based must be attached to the libellus, at least in an authentic copy.

**Can. 1659** § 1. If an attempt at reconciliation according the norm of can. 1446, § 2, has been fruitless, the judge, if he believes that the libellus has some foundation, is to order within three days by a decree appended to the bottom of the libellus that a copy of the petition be communicated to the respondent, granting the latter the right to send a written response to the
chancery of the tribunal within fifteen days. § 2. This notification has the effects of the judicial citation mentioned in can. 1512.

**Can.** 1660 If the exceptions of the respondent demand it, the judge is to set a time limit for the petitioner to respond so as to clarify the object of the controversy from the points raised by each of them.

**Can.** 1661 § 1. When the time limits mentioned in cann. 1659 and 1660 have expired, the judge, after having examined the acts, is to determine the formulation of the doubt; next, the judge is to cite to a hearing, to be held within thirty days, all who must be present at it; the judge is to attach the formula of the doubt to the citation for the parties. § 2. In the citation the parties are to be informed that they can present to the tribunal a brief written statement in support of their allegations at least three days prior to the hearing.

**Can.** 1662 At the hearing the questions mentioned in cann. 1459-1464 are to be treated first.

**Can.** 1663 § 1. The proofs are collected at the hearing with due regard for the prescription of can. 1418. § 2. The party and his or her advocate can be present at the examination of the other parties, of the witnesses, and the experts.

**Can.** 1664 The responses of the parties, witnesses, and the experts, and the petitions and exceptions of the advocates must be put in writing by the notary but in a summary fashion and only as regards those matters which pertain to the substance of the controverted matter, and they must be signed by those making depositions.

**Can.** 1665 Only in accord with the norm of can. 1452 can the judge admit proofs which have not been presented or asked for in the petition or the response; however, after even a single witness has been heard, the judge can decree new proofs only in accord with the norm of can. 1600.

**Can.** 1666 If all the proofs cannot be collected at the hearing, a second hearing is to be scheduled.

**Can.** 1667 When the proofs have been collected, the oral discussion takes place at the same hearing.
Can. 1668 § 1. Unless (nisi) from the discussion it is discovered that something must be supplied in the instruction of the case or something else turns up which prevents the due pronouncement of the sentence, the judge immediately decides the case privately when the hearing has been completed; the dispositive part of the sentence is to be read at once in the presence of the parties. § 2. However, the tribunal can defer the decision until the fifth available day because of the difficulty of the matter or for another just cause. § 3. The complete text of the sentence with the reasons expressed is to be made known to the parties as soon as possible, ordinarily not beyond fifteen days.

Can. 1669 If the appellate tribunal should discover that in a lower grade of the trial the oral contentious process was used in cases excluded by the law, it is to declare the nullity of the sentence and remand the case to the tribunal which passed it.

Can. 1670 In other matters which pertain to the mode of procedure, the prescriptions of the canons concerning the ordinary contentious trial are to be observed. However, the tribunal by a decree giving the reasons, can derogate from procedural norms which have not been determined for validity, in order to expedite matters with due regard for justice.

PARTS III

Title I. Caput I. Art 1

Can. 1671 Marriage cases of the baptized belong to the ecclesiastical judge by proper right.

Can. 1672 Cases involving the merely civil effects of marriage belong to the civil magistrate unless (nisi) particular law determines that these cases can be tried and decided by the ecclesiastical judge when they arise as incidental and accessory.

Can. 1673 In cases regarding the nullity of marriage which are not reserved to the Apostolic See the following are competent: (1) the tribunal of the place in which the marriage was celebrated; (2) the tribunal of the place in which the respondent has a domicile or quasi-domicile; (3) the tribunal of the place in which the petitioner has a domicile, provided (dummodo) that both parties live in the territory of the same conference of bishops and the judicial vicar of the domicile of the respondent agrees, after
hearing the respondent; (4) the tribunal of the place in which de facto most of the proofs are to be collected provided (dummodo) that the judicial vicar of the domicile of the respondent gives consent who, before he does so, is to ask if the respondent has any exceptions.

**Can. 1674** The following are capable of challenging a marriage: (1) the spouses; (2) the promoter of justice when the nullity has become public, if the marriage cannot be convalidated or this is not expedient.

**Can. 1675 § 1.** A marriage which has not been impugned during the lifetime of both spouses cannot be impugned after the death of either one or both spouses unless (nisi) the question of validity is prejudicial to the resolution of another controversy either in the canonical forum or in the civil forum. **§ 2.** However, if a spouse dies while a case is pending, can. 1518 is to be observed.

**Can. 1676** Before accepting a case and whenever there seems to be hope of a successful outcome, the judge is to use pastoral means to induce the spouses, if at all possible, to convalidate the marriage and to restore conjugal living.

**Can. 1677 § 1.** When the libellus has been accepted, the presiding judge or the ponens is to proceed to the communication of the decree of citation according to the norms of can. 1508. **§ 2.** Unless (nisi) either party has petitioned for a session on the joinder of the issues (contestatio litis), when fifteen days have passed after such a communication, the presiding judge or the ponens is to determine the formulation of the doubt or doubts within ten days by a decree ex officio and notify the parties. **§ 3.** The formulation of the doubt not only is to ask whether there is proof of nullity of marriage in the case, but it also must determine on what ground or grounds the validity of the marriage is to be challenged. **§ 4.** Ten days after the communication of the decree, the presiding judge or the ponens is to arrange for the instruction of the case by a new decree if the parties were not opposed.

**Can. 1678 § 1.** The defender of the bond, the advocates of the parties and the promoter of justice, if intervening in the suit, have the right: (1) to be present at the examination of the parties, the witnesses and the experts, with due regard for the prescription of can. 1559; (2) to inspect the judicial acts even though not published and to review the documents produced by
the parties. § 2. The parties cannot assist at the examination mentioned in § 1, n. 1.

**Can. 1679** Unless (nisi) full proofs are present from other sources, in evaluating the depositions of the parties in accord with can. 1536, the judge is to use witnesses regarding the credibility of the parties, if possible, as well as other indications and aids.

**Can. 1680** In cases of impotence or defect of consent due to mental illness, the judge is to use the services of one or more experts unless (nisi) it is obvious from the circumstances that this would be useless; in other cases the prescription of can. 1574 is to be observed.

**Can. 1681** During the instruction of a case, whenever a very probably doubt emerges that the marriage was not consummated, after suspending the nullity case with the consent of the parties, the tribunal can complete the instruction of the case for a dispensation super rato and then submit the acts to the Apostolic See together with a petition from either one or from both spouses for a dispensation and with the opinion of the tribunal and the bishop.

**Can. 1682** § 1. The sentence which first declared the nullity of the marriage together with the appeals if there are any and the other acts of the trial, are to be sent ex officio to the appellate tribunal within twenty days from the publication of the sentence. § 2. If the sentence rendered in favor of the nullity of marriage was in the first grade of trial, the appellate tribunal by its own decree is to confirm the decision without delay or admit the case to an ordinary examination of a new grade of trial, after considering the observations of the defender of the bond and those of the parties if there are any.

**Can. 1683** If at the appellate level a new ground of nullity of the marriage is offered, the tribunal can admit it and judge it as if in first instance.

**Can. 1684** § 1. After the sentence which first declared the nullity of marriage has been confirmed at the appellate level either by decree or by another sentence, those persons whose marriage was declared null can contract new marriages immediately after the decree or the second sentence has been made known to them unless (nisi) a prohibition is attached to this sentence or decree, or it is prohibited by a determination of the local ordinary. § 2. The prescriptions of can. 1644 must be observed, even if the
sentence which declared the nullity of marriage was not confirmed by another sentence but by a decree.

**Can. 1685** Immediately after the sentence has been executed, the judicial vicar must notify the ordinary of the place in which the marriage was celebrated about this. He must take care that notation be made quickly in the matrimonial and baptismal registers concerning the nullity of the marriage and any prohibitions which may have been determined.

**Can. 1686** When a petition has been received in accord with can. 1677, the judicial vicar or a judge designated by him, omitting the formalities of the ordinary process but having cited the parties and with the intervention of the defender of the bond, can declare the nullity of a marriage by a sentence, if from a document which is subject to no contradiction or exception there is certain proof of the existence of a diriment impediment or a defect of legitimate form, provided that it is clear with equal certitude that a dispensation was not granted; this can also be done if there is certain proof of the defect of a valid mandate of proxy.

**Can. 1687** § 1. If the defender of the bond prudently thinks that either the flaws mentioned in can. 1686 or the lack of a dispensation are not certain, the defender of the bond must appeal against this declaration to the judge of second instance, to whom the acts must be sent and who must be advised in writing that it is a question of a documentary process. § 2. The party who feels aggrieved retains the right to appeal.

**Can. 1688** The judge in second instance with the intervention of the defender of the bond, having heard the parties, shall decree in the same way as in can. 1686 whether the sentence is to be confirmed or whether the case must rather be handled according to the ordinary process of law; and in that case the judge remands it to the tribunal of first instance.

**Can. 1689** In the sentence the parties are to be advised of the moral and even civil obligations which they may have to each other and to their children as regards the support and education of the latter.

**Can. 1690** Cases declaring the nullity of marriage cannot be treated in an oral contentious process.

**Can. 1691** In other procedural matters, the canons on trials in general and on the ordinary contentious trial are to be applied unless (nisi) the nature of
the matter precludes it; however, the special norms on cases involving the status of persons and affecting the public good are to be observed.

**Can.** 1692 § 1. Personal separation of baptized spouses, unless (nisi) otherwise legally provided for in particular places, can be decided by a decree of a diocesan bishop, or by a sentence of a judge in accord with the following canons. § 2. Where an ecclesiastical decision has no civil effects, or it if is foreseen that a civil sentence is not contrary to divine law, the bishop of the diocese of residence of the spouses can give them permission to approach the civil forum, having considered the particular circumstances. § 3. Also, if a case is concerned only with the merely civil effects of marriage, the judge can determine it is sufficient that the case be deferred to the civil forum from the start, with due regard for the prescription of § 2. Can. 1693 § 1. Unless (nisi) one party or the promoter of justice seeks an ordinary contentious process, an oral contentious process is to be used. § 2. If the ordinary contentious process has been used and an appeal is proposed, the appellate tribunal is to proceed in accord with the norm of can. 1782, § 2 while observing everything that is to be observed.

**Can.** 1694 The prescriptions of can. 1673 are to be observed in regard to the competence of the tribunal.

**Can.** 1695 Before accepting the case and whenever it is perceived that there is hope of a successful outcome, the judge is to use pastoral means to reconcile the spouses and induce them to restore conjugal living.

**Can.** 1696 Cases involving the separation of spouses also pertain to the public good therefore, the promoter of justice must always intervene at them in accord with the norm of can. 1433.

**Can.** 1697 Only the spouses or either one, even if the other is not willing, have the right to petition for the favor of a dispensation from a ratified and not consummated marriage.

**Can.** 1698 § 1. The Apostolic See alone adjudicates the fact of the non-consummation of marriage and of the existence of a just cause for granting the dispensation. § 2. The dispensation, however, is granted by the Roman Pontiff alone.

**Can.** 1699 § 1. The person competent to accept the libellus seeking a dispensation is the diocesan bishop of the domicile or quasi-domicile of the
petitioner, who must arrange for the instruction of the process if he is sure of the basis of the pleas. § 2. But if the proposed case has special difficulties of the juridical or moral order the diocesan bishop is to consult the Apostolic See. § 3. Recourse is open to the Apostolic See against a decree by which a bishop rejects a libellus.

Can. 1700 § 1. With due regard for the prescription of can. 1681, the bishop is to commit the instruction of these processes, either permanently or in individual cases, to his own tribunal, the tribunal of another diocese, or a suitable priest. § 2. But if a judicial petition has been introduced to declare the nullity of this same marriage the instruction is to be committed to the same tribunal.

Can. 1701 § 1. The defender of the bond must always intervene in these procedures. § 2. An advocate is not admitted but, because of the difficulties of a case, the bishop can permit that the petitioner or the respondent have the aid of a legal expert.

Can. 1702 Insofar as it is possible, each spouse is to be heard during the instruction of the case; and the canons on the collection of proofs in ordinary contentious trials and in cases of marital nullity are to be observed provided (dummodo) they can be reconciled with the distinctive character of these processes.

Can. 1703 § 1. There is no publication of the acts; however, when the judge sees that from the proofs introduced a grave obstacle has arisen to the petition of the plaintiff or an exception of the respondent, he is to reveal this prudently to the interested party. § 2. The judge can show to the interested party seeking it a document introduced or testimony received and set a time within which to offer observations.

Can. 1704 § 1. Having finished the instruction, the judge is to hand over all the acts with an appropriate report to the bishop, who is to prepare his opinion on the truth of the matter both concerning the fact of non-consummation, and the just cause for a dispensation and the opportuneness of the favor. § 2. If the instruction of the process has been committed to another tribunal in accord with can. 1700, the observations in favor of the bond are to be made in the same forum, but the opinion mentioned in § 1 pertains to the bishop committing it, to whom the instructor is to forward the acts with an appropriate report.
Can. 1705 § 1. The bishop is to send to the Apostolic See all the acts with his opinion and the observations of the defender of the bond. § 2. If, in the judgment of the Apostolic See, a supplement to the instruction is required, the bishop will be informed about the points on which the instruction must be completed. § 3. But, if the Apostolic See responds that non-consummation has not been established from the proofs, then the legal expert mentioned in can. 1701, § 2 can review the acts of the process but not the opinion of the bishop, at the tribunal, to see whether any serious reasons warrant resubmitting the petition.

Can. 1706 The rescript of dispensation is sent to the bishop by the Apostolic See; he shall notify the parties about the rescript and also as soon as possible order the pastor (parochus) of the place where the marriage was contracted and the pastor (parochus) of the place of baptism to note the granted dispensation in the registers of marriage and of baptism.

Can. 1707 § 1. Whenever the death of a spouse cannot be proven by an authentic ecclesiastical or civil document, the other spouse is not considered free from the bond of marriage until after a declaration of presumed death is made by the diocesan bishop. § 2. The diocesan bishop can make the declaration mentioned in § 1 only after appropriate investigations have enabled him to attain moral certitude of the death of a spouse from the depositions of witnesses, from rumor, or from indications. The mere absence of a spouse, even for a long time, is insufficient. § 3. The bishop is to consult the Apostolic See about uncertain and complex cases.

Can. 1708 The cleric himself, the ordinary to whom he is subject, or the ordinary in whose diocese he was ordained have the right to impugn the validity of sacred ordination.

Can. 1709 § 1. The libellus must be sent to the competent congregation, which shall decide whether the case is to be handled by the congregation of the Roman Curia or by a tribunal designated by it. § 2. Once the libellus is sent, the cleric is forbidden to exercise orders by the law itself.

Can. 1710 If the congregation remands the case to a tribunal, the canons on trials in general and on the ordinary contentious trial are to be observed unless (nisi) the nature of the matter precludes this, with due regard for the prescriptions of this title.
Can. 1711 In these cases the defender of the bond enjoys the same rights and is bound by the same duties as the defender of the marriage bond.

Can. 1712 After the second sentence which has confirmed the nullity of sacred ordination the cleric loses all rights proper to the clerical state and is free of all obligations.

Can. 1713 To avoid judicial contentions a settlement or reconciliation is usefully employed or the controversy can be entrusted to the judgment of one or more arbiters.

Can. 1714 The norms chosen by the parties are to be observed in a settlement, a compromise or a trial by arbiters; or, if the parties choose no norms, the law enacted by the conference of bishops is to be observed if there is such, or the civil law in force in the place wherein the agreement is entered.

Can. 1715 § 1. A settlement or compromise cannot be made validly concerning matters which pertain to the public good and other matters about which the parties cannot freely dispose. § 2. If it is a question of temporal ecclesiastical goods, whenever the matter requires this, the formalities specified by law for the alienation of ecclesiastical goods are to be observed.

Can. 1716 § 1. If the civil law does not recognize the force of a sentence by arbiters unless (nisi) it is confirmed by a judge, a sentence by arbiters in an ecclesiastical controversy needs confirmation by an ecclesiastical judge of the place where the sentence was rendered in order to have force in the canonical forum. § 2. However, if the civil law admits the challenging of a sentence by arbiters before a civil judge, the same challenge can be proposed before the ecclesiastical judge who is competent to judge the controversy in the first instance.

Parts IV

Caput I

Can. 1717 § 1. Whenever the ordinary receives information which at least seems to be true of an offense, he shall cautiously inquire personally or through another suitable person about the facts and circumstances and about imputability unless (nisi) this investigation appears to be entirely superfluous. § 2. Care must be taken lest anyone's good name be endangered by this investigation. § 3. The one who conducts the
investigation has the same powers and obligations as an auditor in the process; this person cannot act as a judge in the matter, if a judicial process is set in motion later.

**Can.** 1718 § 1. When sufficient evidence appears to have been collected, the ordinary shall decide: (1) whether the process for inflicting or declaring a penalty can be set in motion; (2) whether this is expedient in light of can. 1341; (3) whether a judicial process must be used or unless (nisi) the law forbids it whether he must proceed by a decree without a trial. § 2. The ordinary is to revoke or change the decree mentioned in § 1 whenever it appears to him from new evidence that a different decision is called for. § 3. In issuing the decrees mentioned in §§ 1 and 2, the ordinary is to hear two or more judges or other experts in the law, if he prudently sees fit to do so. § 4. In order to avoid useless trials, before he makes a decision in accord with § 1, the ordinary is to consider whether it is expedient that either he or the investigator equitably solve the question of damages with the consent of the parties.

**Can.** 1719 The acts of the investigation, the decrees of the ordinary by which the investigation was opened and closed, and all that preceded it are to be kept in the secret archive of the curia if they are not necessary for the penal process.

**Can.** 1720 If the ordinary decides that he is to proceed by a decree without a trial: (1) he is to inform the accused about the accusation and the proofs, giving the person the opportunity of self-defense unless (nisi) the accused neglects to be in court after having been duly summoned; (2) he is to consider carefully the proofs and arguments with two assessors; (3) if the offense is certainly proved and the criminal action has not been terminated, he is to issue the decree in accord with cann. 1342-1350, explaining the reasons in law and in fact, at least briefly.

**Can.** 1721 § 1. If the ordinary decrees that a judicial penal process is to be begun, he is to give the acts of the investigation to the promoter of justice who is to present a libellus of accusation to the judge in accord with the norms of cann. 1502 and 1504. § 2. The promoter of justice constituted as such by the higher court acts as the petitioner before that tribunal.

**Can.** 1722 To preclude scandals, to protect the freedom of witnesses and to safeguard the course of justice, having heard the promoter of justice and
having cited the accused, the ordinary at any stage of the process can remove the accused from the sacred ministry or from any ecclesiastical office or function, can impose or prohibit residence in a given place or territory, or even prohibit public participation in the Most Holy Eucharist; all these measures must be revoked once the reason for them ceases; they also end by the law itself when the penal process ceases.

**Can. 1723 § 1.** When citing the accused, the judge must invite the accused to appoint an advocate in accord with the norm of can. 1481, § 1, within a period of time set by the judge. § 2. But if the accused does not provide for this the judge is to name an advocate before the joinder of issues (contestatio litis) who will remain in this function as long as the accused has not personally appointed an advocate.

**Can. 1724 § 1.** In any grade of the trial, renunciation of the instance can be made by the promoter of justice either at the order of or with the consent of the ordinary in light of whose deliberation the process was set in motion. § 2. For validity, the renunciation must be accepted by the accused unless (nisi) such a one is declared to be absent from the trial.

**Can. 1725** In the discussion of the case, whether it be done in writing or orally, the accused always has the right to write or speak last either personally or through an advocate or procurator.

**Can. 1726** In any grade of stage of the penal trial, if it becomes clearly proven that the offense was not perpetrated by the accused, the judge must declare this in a sentence and absolve the accused, even if it is also proven that the criminal action is terminated.

**Can. 1727 § 1.** The accused can propose an appeal even though dismissed in a sentence solely because the penalty was facultative or because the judge used the power mentioned in cann. 1344 and 1345. § 2. The promoter of justice can appeal whenever it appears that the reparation of scandal or the restitution of justice has not been provided sufficiently.

**Can. 1728 § 1.** With due regard for the prescriptions of the canons of this title, unless (nisi) the nature of the matter is opposed, the canons on trials in general and on ordinary contentious trials must be applied in the penal trial, observing the special norms for cases which refer to the public good. § 2. The accused is not bound to confess the offense and cannot be constrained to take an oath.
Can. 1729 § 1. In accord with the norm of can. 1596, an injured party can exercise in the penal trial itself a contentious action for the repairing of damages sustained due to the offense. § 2. The intervention of an injured party, mentioned in § 1, is not admitted afterwards if it was not made in the first grade of the penal trial. § 3. The appeal in a case for damages is made in accord with cann. 1628-1640 even if an appeal in the penal trial cannot be made; but if both appeals are proposed, though by different parties, there is to be a single appellate trial with due regard for the prescription of can. 1730.

Can. 1730 § 1. To avoid excessive delays in a penal trial, the judge can postpone a trial for damages until he has rendered a definitive sentence in the penal trial. § 2. The judge who does this must take cognizance of damages after rendering the sentence in a penal trial even if the penal trial is still pending due to a proposed challenge or if the accused has been acquitted for a reason which does not take away the obligation of repairing damage.

Can. 1731 Even if the sentence rendered in the penal trial has become a res iudicata, in no way does it establish the right of the injured party unless (nisi) this party has intervened in accord with can. 1729.

PARTS V

Sectio I

Can. 1732 What is determined concerning decrees in the canons of this section is also to be applied to all particular administrative acts which are posited in the external forum outside a trial with the exception of those issued by the Roman Pontiff or an ecumenical council.

Can. 1733 § 1. It is very desirable that whenever someone feels injured by a decree, there not be a contention between this person and the author of the decree but that care be taken by common counsel to find an equitable solution between them, perhaps through the use of wise persons in mediation and study so that the controversy may be avoided or solved by some suitable means. § 2. The conference of bishops can determine that in every diocese some office or council be permanently established to find and suggest equitable solutions according to norms determined by the conference; but if the conference has not done this, a bishop can establish a council or office of this kind. § 3. The office or council mentioned in § 2 is to
be of assistance especially at the time when revocation of a decree has been petitioned in accord with the norm of can. 1734 and the time for recourse has not elapsed; but if recourse has been taken against the decree, the superior who examines the recourse is to urge the recurrent and the author of the decree to seek a solution of this type whenever the superior sees hope of a successful outcome.

**Can.** 1734 § 1. Before proposing recourse, a person must seek the revocation or emendation of the decree in writing from its author; when such a petition is proposed it is understood that the suspension of the execution of the decree is also being petitioned. § 2. The petition must be made within a peremptory period of ten available days from legal notice of the decree. § 3. The norms of §§ 1 and 2 are not valid: (1) concerning recourse proposed to the bishop against decrees issued by authorities subject to him; (2) concerning recourse proposed against a decree by which hierarchic recourse is decided unless (nisi) the decision has been made by the bishop; (3) concerning recourses to be proposed in accord with cann. 57 and 1735.

**Can.** 1735 If, within thirty days from the time when the petition mentioned in can. 1734 has come to him, the author of the decree communicates a new decree by which he corrects the prior one or decrees that the petition must be rejected, the period for recourse runs from the notice of the new decree but if within the thirty days he decrees nothing the period runs from the thirtieth day.

**Can.** 1736 § 1. In those matters in which hierarchic recourse suspends the execution of the decree, the petition also has the same effect as that mentioned in can. 1734. § 2. In other cases, unless (nisi) within ten days from the time when the petition mentioned in can. 1734 has come to him, the author of the decree decrees that its execution is to be suspended, a suspension can meanwhile be petitioned from his hierarchic superior who can decree it only for grave reasons and always cautiously lest the salvation of souls be injured in some way. § 3. When the execution of the decree has been suspended in accord with § 2, if recourse is proposed later, the one who must deal with the recourse in accord with can. 1737, § 3 is to determine whether the suspension is to be confirmed or revoked. § 4. If no recourse is proposed against the decree within the stated period, the suspension of the execution effected in the interim in accord with §§ 1 or 2 ceases by that very fact.
Can. 1737 § 1. One who claims to have been injured by a decree can make recourse for any just reason to the hierarchic superior of the one who issued the decree; the recourse can be proposed before the author of the decree, who must immediately transmit it to the competent hierarchic superior. § 2. Recourse must be proposed within a peremptory period of fifteen available days which run from the day on which the decree was published in cases mentioned in can 1734, § 3, but in other cases they run in accord with the norm of can. 1735. § 3. Also in cases in which recourse does not suspend execution of the decree by the law itself, and the suspension was not decreed in accord with can. 1736, §§ 2, nevertheless, the superior can order that the execution be suspended for a grave cause yet cautiously lest the salvation of souls suffer any harm.

Can. 1738 The one taking recourse always has a right to use an advocate or a procurator, avoiding useless delays; and indeed an advocate ex officio is to be constituted, if the one taking recourse lacks an advocate and the superior thinks one necessary; but the superior can always command that the one taking recourse be present to be questioned.

Can. 1739 The superior who examines the recourse has the power, as the case requires, not only to confirm the decree or to declare it null but also to rescind, to revoke, or, if it appears to the superior to be more expedient, to amend, subrogate or obrogate the decree.

Sectio II. Title I

Can. 1740 When the ministry of any pastor (parochus) has become detrimental or at least ineffective for any reason, even through no grave fault of his own, he can be removed from the parish by the diocesan bishop.

Can. 1741 The reasons for which a pastor (parochus) can be legitimately removed from his parish are especially the following: (1) a way of acting which is gravely detrimental or disturbing to the ecclesial community; (2) incompetence or a permanent infirmity of mind or body which renders a pastor (parochus) incapable of performing his duties in a useful way; (3) loss of good reputation among upright and good parishioners or aversion to the pastor (parochus) which are foreseen as not ceasing in a short time; (4) grave neglect or violation of parochial duties which persist after a warning; (5) poor administration of temporal affairs with grave damage to the Church whenever this problem cannot be remedied in any other way.
**Can.** 1742 § 1. If after an inquiry has been conducted, it is proven that a cause mentioned in can. 1740 is present, the bishop is to discuss the matter with two pastors (parochus) from the group permanently selected for this by the presbyteral council after their being proposed by the bishop; but if subsequently he decides that the removal must take place, he is paternally to persuade the pastor (parochus) to resign the pastorate within a period of fifteen days, after he has explained, for validity, the reason and the arguments for removal. § 2. The prescription of can. 682, § 2 is to be observed concerning pastors (parochus) who are members of a religious institute or a society of apostolic life.

**Can.** 1743 A resignation by a pastor (parochus) can be submitted not only purely and simply but also conditionally provided (dummodo) that this can be legitimately accepted by the bishop and is actually accepted.

**Can.** 1744 § 1. If the pastor (parochus) has not answered within the aforementioned time period the bishop is to repeat the invitation extending this available time for response. § 2. If the bishop has the proof that the pastor (parochus) has received the second invitation but has not responded although not hindered by any impediment or if the pastor (parochus) refuses to resign giving no reasons, the bishop is to issue the decree of removal.

**Can.** 1745 But if the pastor (parochus) opposes the cause alleged for removal and its reasons, alleging reasons which appear insufficient to the bishop, in order for the latter to act validly, he is to: (1) invite the pastor (parochus) to organize his challenges to removal in a written report, having inspected the acts, and also to offer proofs to the contrary, if he has any; (2) consider the matter with the same pastors mentioned in can. 1742, § 1 unless (nisi) others must be designated due to their inability, after he has completed the instruction if necessary; (3) finally determine whether or not the pastor (parochus) must be removed and promptly issue a decree on the matter.

**Can.** 1746 When the pastor (parochus) has been removed, the bishop is to provide for him through an assignment to another office, if he is suitable for this, or through a pension, as the case requires and circumstances permit.

**Can.** 1747 § 1. The removed pastor (parochus) must abstain from exercising the office of pastor, vacate the rectory immediately, and hand
over all that pertains to the parish to the one to whom the bishop shall entrust the parish. § 2. If there is a question of a sick pastor (parochus) who cannot be transferred elsewhere from the rectory without inconvenience, the bishop is to leave the rectory even to his exclusive use while this need lasts. § 3. While recourse is pending against the decree of removal, the bishop cannot name a new pastor (parochus) but meanwhile is to provide a parish administrator.

**Can. 1748** If the good of souls or the need or advantage of the Church requires that a pastor (parochus) be transferred from his parish which he is governing usefully to another parish or to another office, the bishop is to propose the transfer to him in writing and persuade him to consent to it for the love of God and of souls.

**Can. 1749** If the pastor (parochus) does not intend to yield to the counsel and persuasion of the bishop, he is to explain his reasons in writing.

**Can. 1750** Notwithstanding the reasons alleged, if the bishop judges that he is not going to change his plans, he is to discuss the reasons which favor or oppose the transfer with the two pastors (parochus) chosen in accord with can. 1742, § 1; if he then decides to implement the transfer, he is to repeat the paternal exhortations to the pastor (parochus).

**Can. 1751** § 1. When this has been done, if the pastor (parochus) still refuses and the bishop thinks the transfer must be made, he is to issue a decree of transfer stating that the parish shall be vacant after the lapse of a pre-determined time. § 2. If this period of time has passed in vain, he is to declare the parish vacant.

**Can. 1752** In cases of transfer, the prescriptions of can. 1747 are to be applied, with due regard for canonical equity and having before one's eyes the salvation of souls, which is always the supreme law of the Church.