

## **APPENDIX xx Applicable Canon Law**

- Canon 519 The pastor (parochus) is the proper pastor (pastor) of the parish entrusted to him, exercising the pastoral care of the community committed to him under the authority of the diocesan bishop in whose ministry of Christ he has been called to share, so that for that same community he carries out the functions of teaching, sanctifying, and governing, also with the cooperation of other presbyters or deacons and with the assistance of lay members of the Christian faithful, according to the norm of law.
- Canon 523 Without prejudice to Canon 682, appointment to the office of parish priest belongs to the diocesan Bishop, who is free to confer it on whomsoever he wishes, unless someone else has a right of presentation or election.
- Canon 529 §1 In order to fulfill his office in earnest the pastor 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 grief's 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. A pastor is to recognize and promote the proper part which the lay members of the Christian faithful have in the mission of the Church, by fostering their associations for the purposes of religion. He is to cooperate with his own bishop and the presbyterate of the diocese, also working so that the faithful have concern for parochial communion, consider themselves members of the diocese and of the universal Church, and participate in and sustain efforts to promote this same communion.
- Canon 532 In all juridic affairs the pastor represents the parish according to the norm of law. He is to take care that the goods of the parish are administered according to the norm of Canon 1281-1288.
- Canon 536 §1 If the diocesan bishop judges it opportune after he has heard the presbyteral council, a pastoral council is to be established in each parish, over which the pastor presides and in which the Christian faithful, together with those who share in pastoral care by virtue of their office in the parish, assist in fostering pastoral activity.
- §2. A pastoral council possesses a consultative vote only and is governed by the norms established by the diocesan bishop.
- Canon 537 In each parish there is to be a finance council which is governed, in addition to universal law, by norms issued by the diocesan bishop and in which the Christian faithful, selected according to these same norms, are to assist the pastor in the administration of the goods of the parish.

## **BOOK V: THE TEMPORAL GOODS OF THE CHURCH**

- Canon 1257 §1 All temporal goods belonging to the universal Church, to the Apostolic See or to other public juridic persons in the Church, are ecclesiastical goods and are regulated by the following canons, as well as, by their own statutes.
- §2 Unless it is otherwise expressly provided, temporal goods belonging to a private juridic person are regulated by its own statutes, not by these canons.

Canon 1258 In the following canons, the term Church signifies not only the universal Church or the Apostolic See, but also any public juridic person in the Church, unless it is otherwise apparent from the context or from the nature of the matter.

#### TITLE I: THE ACQUISITION OF GOODS (Canon 1259 - 1272)

- Canon 1259 The Church may acquire temporal goods in any way in which, by either natural or positive law, it is lawful for others to do this.
- Canon 1260 The Church has the inherent right to require from the faithful whatever is necessary for its proper objectives.
- Canon 1261 §1 The faithful have the right to donate temporal goods for the benefit of the Church.
- §2 The diocesan Bishop is bound to remind the faithful of the obligation mentioned in Canon 222 §1, and in an appropriate manner to urge it.
- Canon 1262 The faithful are to contribute to the Church in response to appeals and according to the norms laid down by the conference of bishops.
- Canon 1263 After the diocesan bishop has heard the finance council and the presbyteral council, he has the right to impose a moderate tax for the needs of the diocese upon public juridic persons subject to his governance; this tax is to be proportionate to their income. He is permitted only to impose an extraordinary and moderate exaction upon other physical and juridic persons in case of grave necessity and under the same conditions, without prejudice to particular laws and customs which attribute greater rights to him.
- Canon 1267 §1 Unless the contrary is established, offerings given to superiors or administrators of any ecclesiastical juridic person, even a private one, are presumed given to the juridic person itself.
- §2 The offerings mentioned in §1 cannot be refused except for a just cause and, in matters of greater importance if it concerns a public juridic person, with the permission of the ordinary; the permission of the same ordinary is required to accept offerings burdened by a modal obligation or condition, without prejudice to the prescript of Canon 1295.
- §3 Offerings given by the faithful for a certain purpose can be applied only for that same purpose.
- Canon 1276 §1 Ordinaries must carefully supervise the administration of all the goods which belong to public juridic persons subject to them, without prejudice to lawful titles which may give the Ordinary greater rights.
- §2 Taking into account rights, lawful customs and the circumstances, Ordinaries are to regulate the whole matter of the administration of ecclesiastical goods by issuing special instructions, within the limits of universal and particular law.
- Canon 1277 In carrying out acts of administration which, in the light of the financial situation of the diocese, are of major importance, the diocesan Bishop must consult the finance council and the college of consultors. For acts of extraordinary administration, except in cases expressly provided for in the universal law or stated in the documents of foundation, the diocesan Bishop needs the consent of the finance council and of the college of consultors. It is for the conference of bishops to determine what are to be regarded as acts of extraordinary administration.

- Canon 1278 Besides the duties mentioned in Canon 494 §§3 and 4, the diocesan Bishop may also entrust to the finance officer the duties mentioned in Canon 1276 §1 and Canon 1279 §2.
- Canon 1279 §1 The administration of ecclesiastical goods pertains to the one with direct power of governance over the person to whom the goods belong, unless particular law or statutes or legitimate custom state otherwise, and without prejudice to the right of the Ordinary to intervene where there is negligence on the part of the administrator.
- §2 Where no administrators are appointed for a public juridic person by law or by the documents of foundation or by its own statutes, the Ordinary to which it is subject is to appoint suitable persons as administrators for a three-year term. The same persons can be re-appointed by the Ordinary.
- Canon 1280 Every juridic person is to have its own finance council, or at least two advisors, who are to assist in the performance of the administrator's duties, in accordance with the statutes.
- Canon 1281 §1 Without prejudice to the provisions of the statutes administrators act invalidly when they go beyond the limits and manner of ordinary administration, unless they have first received in writing from the Ordinary the faculty to do so.
- §2 The statutes are to determine what acts go beyond the limits and manner of ordinary administration. If the statutes are silent on this point, it is for the diocesan Bishop, after consulting the finance committee, to determine these acts for the persons subject to him.
- §3 Except and insofar as it is to its benefit, a juridic person is not held responsible for the invalid actions of its administrators. The juridic person is, however, responsible when such actions are valid but unlawful, without prejudice to its right to bring an action or have recourse against the administrators who have caused it damage.
- Canon 1282 All clerics or lay persons, who lawfully take part in the administration of ecclesiastical goods, are bound to fulfill their duties in the name of the Church, in accordance with the norm of the law.
- Canon 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.
- Canon 1284 §1 All administrators are bound to fulfill their function with the diligence of a good householder.
- §2 Consequently they must:
- 1° exercise vigilance so that the goods entrusted to their care are in no way lost or damaged, taking out insurance policies for this purpose insofar as necessary;
- 2° take care that the ownership of ecclesiastical goods is protected by civilly valid methods;

- 3° observe the prescripts of both canon and civil law or those imposed by a founder, a donor, or legitimate authority, and especially be on guard so that no damage comes to the Church from the non-observance of civil laws;
- 4° collect the return of goods and the income accurately and on time, protect what is collected, and use them according to the intention of the founder or legitimate norms;
- 5° pay at the stated time the interest due on a loan or mortgage and take care that the capital debt itself is repaid in a timely manner;
- 6° with the consent of the ordinary, invest the money which is left over after expenses and can be usefully set aside for the purposes of the juridic person;
- 7° keep well organized books of receipts and expenditures;
- 8° draw up a report of the administration at the end of each year;
- 9° organize correctly and protect in a suitable and proper archive the documents and records on which the property rights of the Church or the institute are based, and 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 budgets of incomes and expenditures each year; it is left to particular law, however, to require them and to determine more precisely the ways in which they are to be presented.

Canon 1285 Within the limits of ordinary administration only, administrators are permitted to make donations for purposes of piety or Christian charity from movable goods which do not belong to the stable patrimony.

Canon 1286 Administrators of goods:

- 1° in the employment of workers are to observe meticulously also the civil laws concerning labor and social policy, according to the principles handed on by the Church;
- 2° are to pay a just and decent wage to employees so that they are able to provide fittingly for their own needs and those of their dependents.

Canon 1287 §1 Both clerical and lay administrators of any ecclesiastical goods whatever which have not been legitimately exempted from the power of governance of the diocesan bishop are bound by their office to present an annual report to the local ordinary who is to present it for examination by the finance council; any contrary custom is reprobated.

§2. According to norms to be determined by particular law, administrators are to render an account to the faithful concerning the goods offered by the faithful to the Church.

Canon 1288 Administrators are neither to initiate nor to contest litigation in a civil forum in the name of a public juridic person unless they have obtained the written permission of their own ordinary.

Canon 1289 Even if not bound to administration by the title of an ecclesiastical office, administrators cannot relinquish their function on their own initiative; if the Church is harmed from an arbitrary withdrawal, moreover, they are bound to restitution.