

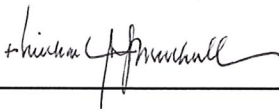


# ARCHDIOCESE *of* KINGSTON

## **Decree of Promulgation for the new Chapter Five of the Guidelines Binder**

In accordance with canon 496 of the Code of Canon Law, I decree that these revised statutes for the Presbyteral Council of the Archdiocese of Kingston are hereby promulgated as particular law for the Archdiocese and are effective immediately. I order that they are to be published on the diocesan website.

Given at Kingston, the seat of the Archdiocesan  
Curia, the 20<sup>th</sup> day of April 2022.



+Michael Mulhall  
Archbishop of Kingston



Rev. James Quirk  
Chancellor of Spiritual Affairs

Chapter 5 PRESBYTERAL COUNCIL

Archdiocese of Kingston



CHAPTER 5

PRESBYTERAL COUNCIL

(Revised 12 April 2022)

Chapter 5 PRESBYTERAL COUNCIL

CONTENTS

STATUTES.....3  
    *Name* .....3  
    *Responsibility to the Archbishop*.....3  
PURPOSES .....3  
MEMBERSHIP .....4  
    *Eligibility of Members and Elections* .....4  
    *Roles of Elected Officers* .....5  
    *Meetings* .....6  
    *Committees*.....6  
    *Confidentiality* .....7  
    *Rules of Order*.....7  
    *Dissolution* .....7  
    *Amendments*.....7  
    *Approval*.....8

## Chapter 5 PRESBYTERAL COUNCIL

### STATUTES

#### Name

The name of this organization shall be *The Presbyteral Council of the Archdiocese of Kingston*, herein referred to as "the Council".

#### Responsibility to the Archbishop

The Archbishop of Kingston convenes the Council and presides over it either personally or through his delegate. He determines the matters to be discussed in the Council or accepts items for discussion as proposed by the members (c. 500, §1).

### PURPOSES

- A. General – The presbyteral council is a group of priests, which, representing the presbyterium, is to be like a senate to the diocesan bishop and which assists him in the governance of the Archdiocese according to the norms of law to promote as much as possible the pastoral good of the portion of the people of God entrusted to him (c. 495 § 1).
- B. The diocesan bishop must hear the presbyteral Council before he is able to place the following acts validly (cf. c.127):
  - a. To convoke a diocesan synod (c. 461 § 1)
  - b. To establish, suppress or notably alter parishes (c. 515 § 2)
  - c. To allocate offerings made by the faithful for parochial services and to remunerate the clerics who perform them (c. 531; see c. 551)
  - d. To mandate a pastoral council in each parish (c. 536 § 1)
  - e. To build a new church building (c. 1215 § 2)
  - f. To relegate a church to profane but not sordid use (c. 1222 § 2)
  - g. To impose the cathedraticum and extraordinary diocesan tax (c. 1263)
- C. They are to establish a group of pastors whom the diocesan bishop will consult in removing or transferring an unwilling pastor (cc. 1742 § 1, 1745, 2<sup>o</sup>1750)
- D. The presbyteral council possesses only a consultative vote. The diocesan bishop is to hear it in matters of greater importance but needs its consent only in cases expressly defined by the law (c. 500 § 2).

## Chapter 5 PRESBYTERAL COUNCIL

### MEMBERSHIP

1. The Council shall consist of:
  - a. Six (6) elected members
  - b. Ex-officio members: the Vicar General, Episcopal Vicars (if there is one), Chancellor (if he is a priest) and the Vicar Forane (Dean), senior by appointment
  - c. Others appointed by the Archbishop
2. The term of office for any elected member shall be two years (*renewable*). An elected member who has served two consecutive terms is ineligible for re-election for two years. The terms shall be such that half the elected positions shall be open for election each year.
3. The term of office for ex-officio members shall coincide with the term of the office which gave them membership in the Council ex-officio.
4. The term of office for appointed members shall be at the Archbishop's discretion.
5. It is to be kept in mind that about half of the Council is to be freely elected (c. 497,§1,3).

### Eligibility of Members and Elections

1. Those eligible for active and passive vote in constituting the presbyteral council are the following:
  - a. diocesan priests who are incardinated in the Archdiocese and who enjoy stable faculties in the Archdiocese;
  - b. other priests, diocesan and religious, who are living in the Archdiocese and who enjoy stable faculties in the Archdiocese;
  - c. other priests, diocesan and religious, who are living in the Archdiocese and who enjoy stable faculties of another ecclesiastical authority, and who exercise some function or office within the territory of the Archdiocese under an ecclesiastical authority other than the Archbishop.
2. All of the above shall be considered to be the priests of the Archdiocese.
3. During the first week of April the secretary shall issue a ballot to all priests having active vote in the Archdiocese of Kingston. The ballot shall indicate the names of

## Chapter 5 PRESBYTERAL COUNCIL

all priests eligible for membership on the Presbyteral Council and the number of vacancies on the Council. To be valid these ballots must be returned to the Chancery Office by mail in an envelope and post-marked the first day of the Priests' Retreat, or in person by the last morning of the Retreat. Should the Retreat be cancelled the Archbishop will direct the secretary on alternate arrangements for conducting the election.

4. If a member should cease membership on the presbyteral council for any reason, the successor member shall be chosen to complete the unexpired year of membership at the time of the next scheduled elections.
5. Votes for all elections shall be counted in the presence of the diocesan bishop and the secretary of the presbyteral council by two tellers chosen by the diocesan bishop from among the members of the presbyteral council before each election begins (cf. c. 173).
6. At the fall meeting, the presbyteral council shall elect a chairman, a vice-chairman, and a secretary, from among its members; these shall serve for a one-year term (renewable). These shall have the responsibilities outlined in these statutes, and other roles assigned to any and each by the diocesan bishop.
  - a. Votes for elected officers shall be confidential and by ballot (in writing) (cf. c. 172 § 1,2°).
  - b. Votes for elected officers shall be counted by two tellers designated by the presbyteral council before the election begins (c. 173).
  - c. In the event of a tie in votes, the priest, senior by ordination, shall be deemed elected. If those receiving tie votes were ordained the same day, the senior by birth shall be deemed elected.
  - d. A simple majority of votes cast suffices for election.

### Roles of Elected Officers

1. The President of the presbyteral council is the Archbishop of the Archdiocese of Kingston (c. 500 § 1).
  - a. The Archbishop convenes and presides over all meetings, special and regular, and determines the matters to be discussed. He may also accept other items proposed by the members of the Council.
2. Chairman
  - a. The chairman shall conduct the ordinary business of all meetings of the presbyteral council and of its executive committee.
  - b. The chairman shall represent the presbyteral council to the diocesan bishop and, with the permission of the diocesan bishop, to others.
  - c. The chairman shall perform those other tasks which are reasonably taken to belong to the chairman of a council.

## **Chapter 5 PRESBYTERAL COUNCIL**

### **3. Vice-Chair**

- a. He shall perform the tasks of the chairman of the presbyteral council in the latter's absence.
- b. He shall perform those other tasks which are reasonably taken to belong to a vice-chair of a council.

### **4. Secretary**

- a. He shall prepare the agenda for, and record the minutes of, all meetings of the presbyteral council and its executive committee.
- b. He shall conduct appropriate correspondence on behalf of the presbyteral council, at the direction of its president and chairperson. This correspondence shall include minutes of all meetings of the presbyteral council and its executive committee after these have been approved for publication by the diocesan bishop to all of the presbyters having active and passive vote in the Archdiocese (cf. c. 500 § 3).
- c. He shall be involved in the announcement of vacancies on, and the election of priests to, the presbyteral council, as indicated in these Statutes.
- d. He shall perform those other tasks which are reasonably taken to belong to the secretary of a council.

## **Meetings**

1. There shall be a minimum of four regular meetings of the Council each year, unless the Archbishop determines otherwise.
2. There shall be an annual meeting of all priests of the Archdiocese at which the major events of the Archdiocese and, according to the discretion of the Archbishop, those matters discussed by the Council will be reported.
3. Special meetings of the Council may be called as deemed necessary.
4. In addition to regular meetings of the Council, telephone consultation of the Council may be employed in cases of urgency.
5. The quorum of the Council shall consist of a simple majority of members.

## **Committees**

1. The Council may establish standing or special committees which it may deem necessary or useful to accomplish its work, with the approval of the Archbishop.
2. When a committee is established, a chairman shall be appointed from the Council. The chairman shall appoint at least two additional members, who are to

## Chapter 5 PRESBYTERAL COUNCIL

be approved by the Council but need not be members of the Council.

3. The quorum of any committee shall be two members.
4. The meeting of any committee may be held at any time and place on the call of the chairman. If the chairman is not present at the meeting, the remaining members shall elect a temporary chairman.

### Confidentiality

1. The diocesan bishop may determine that some activity of the presbyteral council be kept confidential (cf. c. 500 §).
2. Should the diocesan bishop determine that some activity is to be kept confidential, the matter will not be recorded in published minutes of the presbyteral council or its executive committee.

### Rules of Order

The norms of the universal law of the Catholic Church and *Robert's Rule of Order*, as they may be updated periodically, shall govern the operations of the presbyteral council.

### Dissolution

1. The presbyteral council may be dissolved by the diocesan bishop when, having consulted the suffragan bishop senior by appointment, in this judgement the presbyteral council does not fulfil its function or gravely abuses it; in this case, the diocesan bishop must establish it anew within one year (c. 501 § 3).
2. When the see is vacant, the presbyteral council ceases and the college of consulters fulfills its function. Within a year of taking possession, the new diocesan bishop must establish the presbyteral council anew (c. 501 § 2).

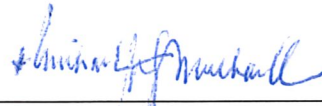
### Amendments

1. These Statutes may be amended by the diocesan bishop on his own initiative or following a two-thirds majority of the members of the presbyteral council favoring amendment, including those absent from the meeting when a vote for amendment is taken.
2. No new Statutes or amendments of these Statutes shall be effective without approval by the diocesan bishop.
3. Nothing in the Statutes may contradict the divine law, the universal law of the Catholic Church, or the particular law of the Archdiocese of Kingston.

## Chapter 5 PRESBYTERAL COUNCIL

### Approval

The foregoing Statutes are approved by the undersigned Archbishop of the Roman Catholic Archdiocese of Kingston, Ontario, Canada, this 12<sup>th</sup> day of April in the year of our Lord, 2022.



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† Michael Mulhall  
Archbishop of Kingston



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(Rev) James Quirk  
Chancellor of Spiritual Affairs