

# STATUTES

(Revised 2016)



**THE EPARCHY OF  
SS. PETER AND PAUL OF MELBOURNE  
FOR THE UKRAINIAN CATHOLICS IN  
AUSTRALIA, NEW ZEALAND AND  
OCEANIA**

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# FORMAL PROCLAMATION OF THE ACCEPTANCE OF STATUTES

The publication of the Statutes of the Eparchy of Ss. Peter and Paul of Melbourne for the Ukrainian Catholics in Australia, New Zealand and Oceania is a note-worthy achievement. They are the culmination of many years of consultation and diligent effort. Numerous people in the Eparchy have contributed toward their creation.

These Eparchial Statutes are part of a series of codes, laws and statutes that govern the temporal life of the faithful in our Eparchy. The Code of Canons of the Eastern Churches, which was promulgated in Rome in 1990, is the Code that governs all the Eastern Churches in the world. The Particular Law of the Ukrainian Catholic Church, which was formally promulgated in July 2001 by the Ukrainian Catholic Bishops Synod in Lviv, Ukraine, is another level of law which governs us within our own particular Church.

Our Statutes conform with both the Universal Code of Canon Law for the Eastern Churches and our Church's Particular Law. These Statutes have also been reviewed to ensure that they do not contradict Australian civil law.

***With this proclamation they become our official Statutes.***

It should be noted that we are also obliged by the Code of Canons and our Particular Laws as they are the codes and laws on which our Statutes are based. These Statutes should be considered the third level of laws that oblige us, and thereby, complete the legal system of our Church.

From time to time, as will be deemed necessary, changes can be made to these Statutes. The amendments will be introduced according to norms that have been set in place. The Statutes have been translated from the original English text into Ukrainian. The English translation shall be considered to be the official text in cases of uncertainty or a lack of clarity.

Let us carry out these precepts with sincere hearts and good will, so that the care for the souls of our faithful may be a sign of our unity with the Church of Christ.

Let us pray that the Holy Spirit may guide us as we work together, striving to attain our supreme goal, namely, the Kingdom of God. All those who are baptized are co-responsible to live out the Gospel and to bring to life the merciful message of Christ.

Let us entrust ourselves to the patronage of the Glorious and Blessed Mother of God, who is the Mother of the whole Church.

Given by my hand at the Cathedral of Ss. Peter and Paul, North Melbourne  
On the Second Day of February, 2002.

+Peter Stasiuk C.Ss.R.  
Eparch for Ukrainian Catholics  
in Australia, New Zealand and Oceania

Witnessed by:

Right Rev Zenon Chorkawyj  
Protosyncellus

Very Rev Olexander Kenez  
Chancellor

**EPARCHY OF SAINTS PETER AND PAUL OF MELBOURNE FOR  
THE UKRAINIAN CATHOLICS OF AUSTRALIA, NEW ZEALAND  
AND OCEANIA**

**PROCLAMATION OF THE EPARCH  
THE MOST REVEREND PETER STASIUK, CSsR**

Pursuant to my legislative power under CCEO, can 191, and the Statutes of the Eparchy of Ss Peter and Paul of Melbourne for the Ukrainian Catholics in Australia, New Zealand and Oceania, Preliminary Norm 6, I, Peter, by the Grace of God Bishop of the Eparchy of Ss Peter and Paul of Melbourne for the Ukrainian Catholics in Australia, New Zealand and Oceania, proclaim that

1. The Statutes of the Eparchy of Ss. Peter and Paul of Melbourne for the Ukrainian Catholics in Australia, New Zealand and Oceania promulgated by me, Peter, by the Grace of God Bishop of the Eparchy of Ss Peter and Paul of Melbourne for the Ukrainian Catholics of Australia, New Zealand and Oceania on 2 February 2002 are

A. amended as of the date of this Proclamation so as to make necessary corrections to spelling and grammar but not so as to affect the meaning of any of the provisions or appendices forming a part thereof,

B. amended as of the date of this Proclamation pursuant to Schedule A attached to and forming a part of this Proclamation, and

C. reissued as of the date of this Proclamation as amended pursuant to 1.A and 1.B of this Proclamation and are henceforth to be titled The Statutes (Revised, 2005) of the Eparchy of Ss. Peter and Paul of Melbourne for the Ukrainian Catholics in Australia, New Zealand and Oceania.

2. My previous acts of appointment of the members of the Advisory Committee of the Clergy Welfare Fund and of the Eparchial Statutes Review and Canon Law Committee are ratified pursuant to the terms of Schedule B attached to and forming a part of this Proclamation as of the date of this Proclamation.

Given by my hand at the Cathedral of Ss Peter and Paul, North Melbourne, Victoria, Australia  
on the \_\_\_\_ day of \_\_\_\_\_ 2005

+Peter Stasiuk CSsR  
Eparch for Ukrainian Catholics in Australia, New Zealand and Oceania

## PRELIMINARY NORMS

1. These Statutes are binding on the clergy, Religious and lay people within the Eparchy of Ss. Peter and Paul of Melbourne for the Ukrainian Catholics in Australia, New Zealand and Oceania as of 2 February 2002.
2. All previously promulgated statutes that are contrary to these statutes are hereby abrogated. It is the responsibility of the parish priest/administrator to ensure that these directives are implemented in each of the parishes in his area.
3. Customs contrary to the intent of these Statutes must be abolished.
4. Parish Priests shall ensure that matters in these Statutes which affect their faithful are brought to the attention of the faithful.
5. Each priest shall be supplied with a copy of these Statutes. A second copy shall be retained with the parish records in such a way that it can be easily accessed. At least one additional copy shall be made accessible to the faithful.
6. In case of doubt, either of fact or of interpretation, the Eparch is the sole authentic interpreter of, and the sole authority who would be permitted to amend these Statutes.
7. Whenever the application of a particular tenet of the Statutes requires the permission of the Eparch, it must be obtained in writing. Any permission given orally by the Eparch must be executed in writing and remanded to the chancery for authentication within ten (10) days.
8. The clergy, Religious and faithful of the Eparchy, keeping in mind the salvation of souls and the good of the Church, may offer suggestions for revision. As well, the clergy, Religious and faithful of the Eparchy may submit new matters which seem to them important for inclusion in the Statutes. Revisions to existing statutes and suggestions for matters to be included in the Statutes should be sent to the Eparchial commission or to the Eparch.
9. These Statutes shall be reviewed by an Eparchial commission every five (5) years, or as is deemed necessary by the Eparch. The specific purpose of the review is that of evaluating the relevance and effectiveness of the statutes in the light of the Eparchial goals. Interested individuals or parties may at any time submit to the Eparchial Commission for consideration any emendations they would like made to the Statutes.
10. In matters not covered in these Statutes, reference shall be made to The Code of Canons for the Eastern Churches and the Particular law of the Ukrainian Catholic Church.
11. For the purposes of financial accountability pursuant to these statutes, and unless specifically noted otherwise within these statutes or unless the context dictates otherwise, the Australian fiscal year, 1<sup>st</sup> July – 30<sup>th</sup> June, governs.

# CERTIFICATE OF REGISTRATION

## Certificate of Registration of a Registrable Australian Body

Corporations Law Sub-section 601CU(1)

This is to certify that

**TRUSTEES OF THE UKRAINIAN CATHOLIC CHURCH  
IN AUSTRALIA, EPARCHY OF ST PETER AND PAUL  
OF MELBOURNE**

**Australian Registered Body Number 093 079 951**

which was formed or incorporated in New South Wales  
was registered as a Registrable Australian Body.

The date of commencement of registration was  
**the thirteenth day of June 2000.**

Given under the seal of the  
Australian Securities and Investments Commission  
on this thirteenth day of June, 2000.



Alan Cameron  
Chairman



CERTIFICATE

## GLOSSARY OF TERMS

<b>Apostolic See</b>	Indicates the See or Diocese of the successor of St Peter, the present Holy Father. The use of this term refers sometimes to the Holy Father himself and sometimes to the various offices that act on his behalf. It is only in union with him as the successor of St Peter that we can claim the name “Catholic”.
<b>Administrator</b>	A term used to designate someone who is in charge of a parish on a temporary basis, or someone who cares for certain aspects of the Church’s goods or properties.
<b>Archimandrite</b>	From the Greek words "leader of" "the fold," the title of a monastic officer who has charge of a large monastery or a confederation of smaller ones. The title is sometimes bestowed as an honour on a deserving celibate priest.
<b>Celebret</b>	A document carried by a priest when outside his Diocese to prove that he is in good standing with his Bishop.
<b>Can., Cann.</b>	Canon or Canons, that is individual legislation contained in CCEO.
<b>CCEO</b>	Codex Canonum Ecclesiarum Orientalium or Code of Canons of the Eastern Churches. The law that governs our Church.
<b>Chrism</b>	A Greek word denoting a mixture of olive oil and assorted spices blessed solemnly by the Eparch on Holy Thursday and used to administer the sacrament of chrismation (confirmation). It is also called myron in Slavonic.
<b>Chancellor</b>	The chancellor maintains the offices of the Curia and preserves the acts of the Curia. He assists the Eparch in the daily affairs of the office and oversees the maintenance of the archives of the Eparchy. (CCEO Can. 252)
<b>Clergy</b>	Unless specifically noted otherwise in these statutes or unless the context dictates otherwise, those in the major orders of bishop, priest or deacon.
<b>Cleric</b>	Eparchs, presbyters and deacons are by virtue of sacred ordination, distinguished as clerics. In the Church we distinguish between major and minor orders. Major orders include Eparchs, priests and deacons; minor orders include all other ranks of clerics.
<b>Consultors</b>	The group of priests appointed by the Eparch to give advice and assume previously defined responsibilities on the demise or untimely departure of the Eparch.
<b>Conflict of Interest</b>	Means a factual circumstance where there is either an actual, potential or perceived divergence between the individual interests of the individual and the Eparchy or Parish Council or Committee in which the individual serves such that an independent observer might reasonably question that the volunteer, officer holder or employee

conduct may have been influenced by their own private interests or personal circumstances.

<b>Curia</b>	The central office of the Eparchy.
<b>Deacon</b>	From the Greek word meaning "servant," this is the third rank among the clergy after the Eparch and presbyter. While Eparchs and presbyters are sometimes referred to as "priests," such is not the case insofar as the office of the deacon is concerned.
<b>Eparch</b>	The highest rank in Holy Orders among the clergy, an Eparch provides teaching and governance in the Church.
<b>Eparchy</b>	The territory and administration of a Church, usually governed by an Eparch.
<b>Exarch</b>	In the Ukrainian Church, the person appointed to govern a Church or community, but one who is neither an Eparch nor someone who has been designated the permanent Eparch. An Exarch may be the representative of the Patriarch.
<b>Exarchate</b>	The territory or community under the supervision of an exarch.
<b>Financial Interest</b>	<p>A person has a financial interest if the person has, directly or indirectly, thorough business, investment, or family:</p> <ol style="list-style-type: none"><li>a) An ownership or investment interest in any entity with which the Eparchy or Parish has a transaction or arrangement,</li><li>b) A compensation arrangement with the Eparchy or Parish or with any entity or individual with which the Eparchy or Parish has a transaction or arrangement, or</li><li>c) A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Eparchy or Parish is negotiating a transaction or arrangement.</li></ol> <p>Compensation includes direct and indirect remuneration as well as gifts or favours that are not insubstantial. A financial interest is not necessarily a conflict of interest. A person who has a financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.</p>
<b>Hegumen</b>	The Greek word for "leader," it is used in monastic organisations for the one in charge of a monastery or Religious community. In some of the Byzantine Churches the title is bestowed as an honour on a celibate priest. The feminine form is hegumenitsa or hegumena.
<b>Interested Person</b>	Any volunteers, officer holders, employees, or members of the Eparchy Parish Council or Committee with governing delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.
<b>Myron</b>	Refer to definition of Chrism.
<b>Omophorion</b>	The wide band of wool fabric worn over the shoulders of an Eparch as the distinctive sign of his office. This band is said to represent the lost sheep.

<b>Parish</b>	A subdivision within an Eparchy or the territory around a church.
<b>Pastor</b>	Designates the Parish Priest who has pastoral care of his people.
<b>Parochial Vicar</b>	The term sometimes used for Assistant Priest.
<b>Presbyter</b>	A Greek word meaning "elder." It is sometimes translated less accurately as "priest," and is the second rank among the clergy after the eparch.
<b>Presbyteral Council</b>	The group of priests gathered around the Eparch to give advice on certain matters
<b>Protohegumen</b>	Meaning "first leader" in Greek, it is a monastic term used to designate the presiding leader in a monastic or Religious confederation. cf. hegumen.
<b>Protopriest</b>	Meaning "first priest" in Greek, this title is given to the priest in charge of a subdivision in the Eparchy (a dean). It also refers to the title that is bestowed as an honour upon a deserving presbyter.
<b>Protosyncellus</b>	"The first among those with (him in) the cell," this title refers to the Eparch's chief collaborator. It is the equivalent of the Latin term "vicar general." Cf. syncellos.
<b>Relevant Law</b>	Means the applicable State or Federal law or regulations of Australia and the applicable law or regulations of the respective jurisdiction in which the Eparchy has members, including New Zealand and Oceania.
<b>Religious or Religious Life.</b>	Unless specifically noted otherwise in these statutes or unless the context dictates otherwise, those individuals who live in a group of individuals living together as brothers or sisters and who publicly profess religious vows.
<b>Syncellus</b>	From the Greek "with (him in) the cell," a title borrowed from monastic organisation. This title is used to designate someone who is a close collaborator with the Eparch, and one who at one time was almost invariably a member of a monastic Order. Today, the title is used primarily to designate someone who has been delegated by the Eparch for a specific task; and is the equivalent of the Latin title "Episcopal Vicar."

# CHART OF CHURCH ORGANISATION

## The Vicar of Christ The Bishop of Rome

### The Roman Curia

(Working on behalf of the Holy Father)

#### 1. Secretariat of State

#### 2. Congregations for (the):

- a. Doctrine of the Faith
- b. Causes of Saints
- c. Oriental Churches
- d. Bishops
- e. Divine Worship
- f. Evangelization of Peoples
- g. Institutes of Consecrated Life
- h. Clergy
- i. Catholic Education

#### 3. Tribunals

- a. Apostolic Penitentiary
- b. Supreme Tribunal
- c. Roman Rota

#### 4. Pontifical Councils for (the):

- a. Laity
- b. Promoting Christian Unity
- c. Family
- d. Justice and Peace
- e. "Cor Unum"
- f. Pastoral Care of Migrants
- g. Pastoral Care of Health Care
- h. Interpretation of Legal Texts
- i. Inter-Religious Dialogue
- j. Dialogue with Non-Believers
- k. Culture
- l. Social Communications

#### 5. Offices

- a. Apostolic Camera
- b. Papal Household
- c. Patrimony
- d. Statistics
- e. Economic Affairs
- f. Pontifical Ceremonies
- g. Archives

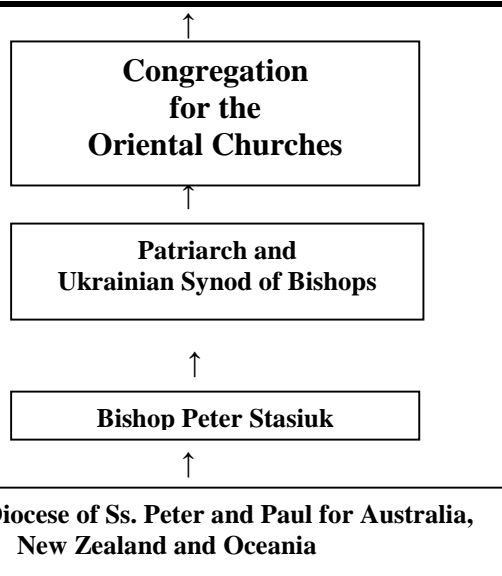
#### 6. Commissions and Committees

- a. Roman Curia
- b. Organizational Problems
- c. International Theological
- d. Pontifical Shrines
- e. Pontifical Biblical
- f. International. - Eucharistic Congress
- g. Revision of the Vulgate
- h. Vatican City State
- i. Sacred Archeology
- j. Historical Sciences

Most dealings with the Church in Rome are conducted through the Congregation for the Oriental Churches

The general governing body for Ukrainian Catholics

The local Bishop governs the local Church





# SECTION ONE:

## 1. THE EPARCHY

An eparchy is a section of the people of God which is entrusted for pastoral care to a bishop with the co-operation 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. (CCEO Can. 177 - §1.)

### 1.1 The Eparch

- 1.1.1 To ensure the stability and continuity of its mission, the spiritual and temporal patrimony of the Church is the responsibility of all Christian faithful members. In particular, the Eparch is responsible for overseeing the functioning of the church with the co-operation of the priests and the faithful.
- 1.1.2 The eparchial bishop, as a vicar and. legate of Christ, governs in his own name the eparchy entrusted to him for shepherding. This power, which he exercises personally in the name of Christ, is proper, ordinary, and immediate, although its exercise is ultimately regulated by the Supreme Authority of the Church and can be defined with certain limits should the usefulness of the Church or the Christian faithful require it. (CCEO Can. 178)
- 1.1.3 The eparchial bishop represents the eparchy in all its juridic affairs. (CCEO Can. 190)
- 1.1.4 The eparchial bishop governs the eparchy entrusted to him with legislative, executive and judicial power. (CCEO Can. 191 -§1.)
- 1.1.5 The eparchial bishop personally exercises legislative power; he exercises executive power either personally or through a protosyncellus or syncellus; he exercises judicial power either personally or through a judicial vicar and judges. (The eparchial bishop governs the eparchy entrusted to him with legislative, executive and judicial power. (CCEO Can. 191 -§2)) The protosyncellus shares the administrative power of the eparchial bishop, while the Judicial Vicar and other Judges exercise judicial power on his behalf in a variety of causes before the Eparchial Tribunal.
- 1.1.6 In the exercise of his pastoral function, the eparchial bishop should show that he is concerned for all the Christian faithful who are committed to his care, regardless of age, condition, nation or Church of its own right, both those who live within the territory of his eparchy and those who are staying in it temporarily; he should extend his apostolic spirit also to those who cannot sufficiently make use of ordinary pastoral care due to their condition in life as well as to those who no longer practise their religion. (CCEO Can. 192 - §1)
- 1.1.7 The eparchial bishop is to ensure that all Christian faithful committed to his care foster unity among Christians according to principles approved by the Church.
- 1.1.8 The eparchial bishop is to regard the non-baptised as being committed to him in the Lord and to see that the love of Christ shines upon them from the witness of the Christian faithful living in ecclesiastical communion.
- 1.1.9 The eparchial bishop is bound to present and explain to the Christian faithful the truths of the faith, these truths are to be believed and brought to bear in moral issues, by frequently preaching in person. He is also to ensure that the prescriptions of the law concerning the ministry of the word of God be carefully observed, especially

prescriptions about the homily and catechetical formation, so that the entirety of Christian doctrine is handed on to all. (CCEO Can. 196 - §1)

- 1.1.10 The eparchial bishop is to protect resolutely the integrity and unity of the faith. (CCEO Can. 196 - §2)
- 1.1.11 The eparchial bishop is bound by the obligation of canonically visiting the eparchy either entirely or in part every year so that at least every five years he, himself, or, if he is legitimately impeded, the coadjutor bishop, the auxiliary bishop, the protosyncellus or syncellus, or some other presbyter, should canonically visit the entire eparchy. (CCEO Can. 205 - §1)
- 1.1.12 In the Eparchy of Ss. Peter and Paul of Melbourne, the Eparch will visit each parish in the Eparchy not less than once in every five years. The purpose of the visit is:
- To examine the spiritual, educational and membership growth of the parish since the last canonical visitation;
  - To provide the Eparch with an opportunity to meet with the clergy and the faithful to discuss the life of the parish on an individual and informal basis;
  - To meet with the parish priest to discuss the parish priest's personal concerns;
  - To meet with the Religious of the parish
  - To meet with the Parish Council to discuss the general state of the parish; and
  - To review all parish archives and insure that they are maintained in proper condition.
- 1.1.13 The Eparch will celebrate liturgy in the parish and preach to the faithful.
- 1.1.14 The clergy and the faithful should cooperate in the fulfilment of the mission of the Church to evangelise the world. This task should be accomplished both by the common prayer life of the local Christian community and through the establishment of ministries and facilities designed to carry out the apostolate.

## **1.2 The Corporation**

- 1.2.1 As a legal entity the Corporate Name of the Eparchy is entitled "Trustees of the Ukrainian Catholic Church in Australia, Eparchy of Ss. Peter and Paul of Melbourne". This name was initially incorporated in New South Wales under the Roman Catholic Church Communities' Land Act 1942. This entity was registered as such under the Corporations Law and assigned an Australian Registered Body Number 093 079 951 on 13 June 2000 which covers the whole of Australia.
- 1.2.2 The canonical name of this entity is; Eparchy of Ss. Peter and Paul of Melbourne for Ukrainian Catholics in Australia, New Zealand and Oceania.
- 1.2.3 All properties of the Eparchy are legally owned by the Trustees of the Ukrainian Catholic Church in Australia, Eparchy of Ss. Peter and Paul of Melbourne, its successors and assigns in office.
- 1.2.4 However, CCEO canon 1009 provides that each Parish in the Eparchy is a Juridical Person. Care should be exercised to distinguish between the legal arrangements possible under civil law and the legal realities that oblige us under Canon Law.
- 1.2.5 The Eparch is the only person who can legally contract for the Corporation.
- 1.2.6 Subject to Title XXIII, Chapter 2 of CCEO, every transaction regarding property, whether real estate, construction, purchase of major equipment and/or expenditures of any kind which exceed ten thousand dollars (\$10,000) requires the written approval of the Eparch. (See Appendix D) (CCEO Cann. 1022-1042)

### **1.3 Eparchial Consistory: Duties and Responsibilities**

1.3.1 The Eparch freely appoints members to the Eparchial Curia for specific responsibilities.

1.3.2 The composition of the Curia is at the discretion of the Eparch; Members may include: protosyncellus (vicar general), syncellus (Eparchial vicar), judicial vicar, Eparchial consultor, econome (Eparchial finance officer) and council for economic affairs; chancellor, Eparchial judges, promoter of justice and defender of the bond, notaries and other individuals assigned by the Eparch for properly discharging the offices of the Eparchial Curia (CCEO Can. 243).

1.3.3 With due regard for the provisions of the CCEO canon 271, the Eparch fixes the term of office of all Curial appointments.

#### **1.3.4 Protosyncellus**

1.3.4.1 The Protosyncellus (vicar general) assists the Eparch in the ordinary governance of the Eparchy. In the absence of the Eparch (or by delegation of the Eparch), the Protosyncellus utilises his vicarious powers to provide continuity in the governance of the Eparchy. At all times, he exercises the administrative power of the Eparch. (CCEO Can.245)

#### **1.3.5 Syncellus**

1.3.5.1 The Syncellus (Eparchial vicar), may be appointed to undertake specified tasks as determined by the Eparch within a specific territory of the eparchy. The Syncellus exercises the administrative power of the Eparch in a specific area determined by the Eparch. (CCEO can. 245)

#### **1.3.6 Chancellor**

1.3.6.1 The Chancellor maintains the offices of the Curia and preserves the acts of the Curia. The Chancellor assists the Eparch in the daily affairs of the office and oversees the maintenance of the archives of the Eparchy. (CCEO Can. 252)

#### **1.3.7 Eparchial Finance Officer**

1.3.7.1 The Eparchial Finance Officer is appointed for a term of five (5) years: his duties are to:

- oversee the finances of the Eparchial consistorial offices;
- coordinate the functioning of the financial council;
- supervise the financial affairs of the parishes in the Eparchy.

1.3.7.2 The Finance Officer must account for his/her administration to the Eparch at least once every six months.

#### **1.3.8 Eparchial Pastoral Council (EPC)**

1.3.8.1 An Eparchial Council called “The Organisation of Ukrainian Catholic Council in Australia” (“UCCA”) is representative of all the church organisations of Ukrainian Catholics that function in the Eparchy. It shall be constituted by and operate under its own statutes. (CCEO Can. 272)

1.3.8.2 The Eparchial Pastoral Council is governed by CCEO canons 272-275.

#### **1.3.9 The Presbyteral Council**

1.3.9.1 The Presbyteral Council is a mandatory body which is both constituted by, and operates under, its own statutes. (CCEO Can. 264) The Presbyteral Council serves

in an advisory capacity to the Eparch. It comprises of priests who are “ex officio” members, elected members and appointed members.

### **1.3.10 Eparchial Consultors**

- 1.3.10.1 The Eparchial Consultors have a term of five years (CCEO Can. 271).
- 1.3.10.2 Given the shortage of clergy in the Eparchy, the same priests will serve both on the Presbyteral Council and act as Consultors to the Eparch.
- 1.3.10.3 The Eparch shall consult with the Eparchial Consultors regarding the issues of establishment and dissolution of parishes within the Eparchy. The Eparchial Consultors shall assist the Eparch in decisions concerning matters of the Eparchy.
- 1.3.10.4 Upon the demise of the Eparch, the Consultors shall act in accordance with CCEO canon 271.5.

### **1.3.11 The Eparchial Finance Council**

#### **1.3.11.1 Nature**

- 1.3.11.1.1 The Finance Council of the Eparchy of Ss. Peter and Paul of Melbourne for the Ukrainian Catholics of Australia, New Zealand and Oceania established in accord with CCEO canon 263. It is the organ of collaboration of the Christian Faithful with the Eparch in the administration of the financial matters of the entire Eparchy.
- 1.3.11.1.2 The Finance Council shall prepare an annual budget for the whole Eparchy for the coming year and review the receipts and debits of the past year.
- 1.3.11.1.3 The Finance Council shall provide the Eparch with financial expertise in order to assist him and the financial officer with the stewardship of Eparchial funds. (CCEO Can. 263)
- 1.3.11.1.4 For the good of the Eparchy, the Eparch, with the consent of the Finance Council, has the prerogative of imposing an annual tax on each member Church (CCEO Can. 1012).

#### **1.3.11.2 Duties**

- 1.3.11.2.1 The Eparchial Finance Council is charged with following duties:
  - To advise the Eparch on financial policies for the Eparchy.
  - To prepare annually a budget of income and expenditure over the coming year for the governance of the entire Eparchy, in accordance with the directions of the Eparch, and after appropriate consultation with the elected members of the various Eparchial committees.
  - To examine at the end of each year the report of the Eparchial Finance Officer on the income and expenditure of the Eparchy.
  - To examine the annual reports of the administrators of the parishes and of the other public juridic persons subject to the Eparch.
  - To express an opinion, after legitimate convocation in accord with canon 934, on those matters where CCEO calls for the Eparch to have recourse to the Finance Council. These matters include the following:
    - the appointment and removal of the Eparchial Finance Officer (CCEO Can. 262, #2)
    - the imposition of a moderate tax on the public juridic persons subject, to his authority, and of any extraordinary and moderate tax on other physical and juridic persons with due regard for the requirements of CCEO Can. 1012.

- the performance by himself of acts which he has stated as being more important acts of administration.
  - the investment of money and moveable goods assigned to an endowment (CCEO Can. 1049).
  - the equitable diminution of the obligations of a will for a pious cause when fulfilment of the obligations becomes impossible due to diminished income or some other justifiable reason (CCEO Can. 1054).
- 1.3.11.2.2 To give or withhold consent with regard to acts of extraordinary administration, to those acts judged to endanger the patrimonial condition of the public juridic person in question, and to leases covered by the norms laid down. The Eparch shall obtain the consent of the Finance Council with regard to the following matters:
- the performance by himself of an act of extraordinary administration (CCEO Can. 1031).
  - any transaction through which the patrimonial condition of a juridic person can be worsened (CCEO Can. 1042).
- 1.3.11.2.3 To present timely recommendations regarding fiscal policy in the Eparchy.
- 1.3.11.2.4 To monitor investment policies.
- 1.3.11.2.5 To inform the Eparch regarding financial trends which could affect the stability of the patrimony of the Eparchy.
- 1.3.11.2.6 To elect a temporary finance officer if, *sede vacante*, the finance officer is elected Diocesan Administrator (CCEO Can. 225).

### **1.3.11.3 Powers of the Finance Council**

- 1.3.11.3.1 The Eparchial Finance Council enjoys those powers accorded to it in CCEO. The Eparch is not bound to observe the advice given in those cases where the law requires him to consult the Council. In those cases where the law requires that he obtain the consent of the Council, a withholding of consent bars the Eparch from proceeding with the proposed act.

### **1.3.11.4 Composition**

- 1.3.11.4.1 The Eparchial Finance Council is appointed by and presided over by the Eparch; it comprises of no fewer than three members of the Christian Faithful appointed by the Eparch. The members of the Council should be drawn from individuals who have demonstrated outstanding moral integrity, are actively involved in the life of the local Church, are capable of evaluating financial choices with an ecclesiastical spirit, and possess expertise in civil law or finance, as attested to by their professional qualifications and testimonials.
- 1.3.11.4.2 Members of the Finance Council are appointed for a five-year term, which is renewable.
- 1.3.11.4.3 Members of the Finance Council serve for the duration of their appointment. Except for grave and documented reasons, the Eparch cannot dismiss members.

### **1.3.11.5 Incompatibility**

- 1.3.11.5.1 Persons who are related to the Eparch up to the fourth degree of consanguinity or affinity, along with those who have direct financial interests in the Eparchy, may not be named members of the Eparchial Finance Council.

### **1.3.11.6 The President**

- 1.3.11.6.1 The President, namely, the Eparch:

- Convoques and presides at the Finance Council meetings, either personally or through a delegate;
- Prepares or causes to be prepared the agenda for each meeting;
- Appoints one member to act as chairperson for a twelve month period.

#### **1.3.11.7 Meetings of the Eparchial Finance Council**

- 1.3.11.7.1 Meetings should be held monthly or as otherwise determined by the Eparch.
- 1.3.11.7.2 A quorum shall consist of a majority of the members of the Council.
- 1.3.11.7.3 At the meetings of the Council, those persons invited by the President may participate, where necessary, as non-voting members.
- 1.3.11.7.4 Each member of the Eparchial Finance Council may make public only those matters so designated by the Eparch.
- 1.3.11.7.5 The minutes of the meetings shall be recorded in the proper minutes book and signed by the chairperson and secretary at the conclusion of each meeting. These minutes must be approved at the next meeting.

#### **1.3.11.8 Vacancy of a Seat in the Eparchial Finance Council**

- 1.3.11.8.1 In the event of the demise, dismissal, retirement, or permanent disability of one or more of the members of the Eparchial Finance Council, the President (the Eparch) proceeds as soon as possible to appoint replacements. Councillors thus appointed remain in office to the end of the original member's term and may be re-appointed for additional terms.

#### **1.3.11.9 Financial Year**

- 1.3.11.9.1 The Financial Year of the Eparchy runs from July 1 of a year to June 30 of the following year. At the end of each year, and before September 30, the Finance Officer will submit a report on Eparchial Income and Expenditure.

#### **1.3.11.10 Information to the Eparchial Community**

- 1.3.11.10.1 The Eparchial Finance Council presents the annual financial report to the Diocesan community through a publication designated by the Eparch. This report informs the community of the sources of income and its disbursement during the financial year.

#### **1.3.11.11 Reference to General Norms**

- 1.3.11.11.1 With regard to any matters not treated in the present Statutes, the norms of CCEO will be applied.

### **1.3A Management of Eparchy Assets, Infrastructure and Inventories**

- 1.3A.1 All property of the Eparchy, including in particular icons and artefacts of particular Parishes, shall be correctly identified, valued, included into a general itemised inventory and titled as the Eparchy Assets. The items of the Eparchy Assets, which are also included in the inventory of property of particular Parish, shall have a designated use for the faithful of that Parish.

### **1.4 Privacy Laws**

- 1.4.1 In all matters relating to personal information of clergy, religious, the faithful and any other person or persons involved in or associated with Eparchial, Community, Missions and or Parish activities, the Eparchy and all Communities, Missions,

Parishes and Institutes of Religious life shall conform to the privacy standards established by Australian Commonwealth, State and Territory law from time to time in force and, without limiting the generality of the foregoing, with the Privacy Act 1988 (Cth) and the ten National Privacy Principles established thereunder, as if they were written into and forming a part of these statutes.

## **1.5 Intellectual Property Rights**

- 1.5.1 Copyright and other intellectual property rights are subject to the Relevant Law as applicable to Australia including the Copyright Act 1968 (Cth), Business Names Registration Act 2011 (Cth), Trade Marks Act 1995 (Cth), Designs Act 2003 (Cth), Patents Act 1990 (Cth), Designs Act 2003 (Cth) or the Relevant Law of the respective jurisdiction in which the Eparchy has members, including New Zealand and Oceania.
- 1.5.2 Persons responsible for the publication of Eparchy publications or products, which are subject to copyright shall ensure that they include a copyright notice with the Eparchy's name and date of publication.

## **1.6 Internet & Social Media Communications**

- 1.6.1 The Eparchy adheres to the Relevant Law in respect to the Internet and all social media communications.
- 1.6.2 Persons responsible for maintaining the Eparchy's publications in whatever form shall ensure that they are compliant with copyright, privacy and all other Relevant Law.

## **SECTION TWO:**

### **2. MEMBERSHIP AND RECEPTION INTO THE CHURCH**

#### **2.1 Reception into the Church**

2.1.1 A baptised non-Catholic, who has reached fourteen years of age, or a child of minor age with the non-Catholic parent's consent, may be received into full communion with the Catholic Church.

2.1.2 The following regulations shall apply:

- A member of the Christian faithful from an Eastern non-Catholic Church may be received into the church with only the profession of faith;
- A member of the Christian faithful from other non-Catholic Churches may be received into the Church with the profession of faith, the sacrament of reconciliation, chrismation (if necessary) and the Eucharist.
- If the fact of baptism, or the validity of it, remains in doubt after prudent investigation, the candidate shall make a profession of faith, be conditionally baptised and chrismated (either conditionally or absolutely), admitted to penance and then admitted to Holy Eucharist.
- All receptions shall be recorded in the baptismal register, even in instances when baptism was not administered.

2.1.3 In accordance with CCEO canon 35, and preserving their right to petition the Apostolic See for a transfer to another Church "sui iuris" (of its own right), apostates may be received back into the Church they had forsaken. Baptised non-Catholics may be received into their corresponding Church. Apostates may choose any priest whom they wish to effect their reception into the Church; however, the candidate applying for admission to the Church must be received in accordance with CCEO canon 37 in a parish church in whose register the reception is to be recorded, along with any indications of sacraments administered, etc. If the candidate is validly married to a Catholic, the parish of the domicile of the spouse shall be notified by letter immediately. Otherwise, the facts of the marriage of one validly married and received into the Church shall be recorded in the baptismal register along with notification of reception.

2.1.4 All receptions into the Church, whether of non-Catholics or of apostates, shall be recorded in the baptismal register (even in the event baptism was not administered) without, however, assigning a rubrical number.

2.1.5 Except in instances when a person entering the Church is in imminent danger of death, or when an unmarried or widowed non-Catholic is entering the Church before contracting marriage with a Catholic, the permission of the Eparch is needed to receive that individual into the Church. In the case of an individual preparing to marry a Catholic, after the one entering the Church has been received, and the proper entry made in the register, a copy of it shall be forwarded to the chancery.

2.1.6 If a person desiring admission to the Church has not previously been baptised that person should be baptised after catechetical instruction and with no other profession of faith other than that contained in the rite of the catechumenate: shall be chrismated and given the Eucharist together.



2.1.7 Whenever a validly married convert is received into the Church, the facts of this marriage (entered into either before or outside the Church) shall be recorded in the baptismal register along with the record of conversion.

## **2.2 Transfer To Another Church “Of Its Own Right” (Sui Iuris)**

### **2.2.1 Formal Transfer**

2.2.1.1 In general, formal transfer to another Church should be discouraged. Any member of the Catholic Church may participate in the spiritual and liturgical life of any other Catholic Church. Even on a permanent basis, this does not affect a transfer to another Church.

2.2.1.2 For a valid transfer to another Church or to return to the former Church after a lawful transfer, the permission of the Apostolic See is required.

2.2.1.3 A person may request transfer to another Church for any of the following reasons:

- To fulfil a desire to enter the seminary or a Religious community of a different Church;
- To return to the Church of one’s ancestors;
- To foster family unity;
- To enhance the Christian life in an individual or particular circumstance for the salvation of one’s soul.

2.2.1.4 The person requesting a transfer must meet the following minimum requirements or conditions:

- Be an active participant in the parish into which he/she is requesting transfer for at least one year;
- Have valid reasons for requesting the transfer;
- Understand fully the implications of the request;
- Have the intention of remaining in the new Church permanently.
- Request the transfer freely.

### **2.2.2 Procedures**

2.2.2.1 To petition for a transfer to the Church of one’s preference, the following procedure must be followed.

2.2.2.2 The person requesting the transfer must discuss the issue with the parish priest/administrator of the Church into which he/she seeks membership.

2.2.2.3 The requesting person must write a formal petition to the Eparch in which he/she gives the following:

- Name and address;
- Date and place of birth;
- The name of the Church in which he/she is currently a member and from which he/she is seeking a transfer;
- Marital status;
- A brief summary of his/her spiritual journey leading to this request;
- Reasons for requesting the transfer;
- Statement that the decision to transfer is being made of free will;
- Family situation:
  - Children under 14 years of age linked in the petition (their baptismal certificates must be included);
  - Parents' agreement to the transfer;

- Signature of the adult petitioner;
  - Statement testifying to the understanding of the permanence of the transfer.
- 2.2.2.4 The petition must include a copy of the person's baptismal and confirmation certificate which has been issued within the last six months.
- 2.2.2.5 The petitioner's intended parish priest/administrator must write to the Eparch stating his reasons for supporting the petition. If the parish priest/administrator feels that the reasons for requesting the change are not bona fide and earnest, or are contrary to the facts bearing on the situation, the parish priest/administrator is obliged to refute the stated reasons.
- 2.2.2.6 The receiving parish priest/administrator shall mail two (2) copies of the petition, the baptismal and confirmation certificate(s) and his own letter to the Eparch.
- 2.2.2.7 The Eparch shall review the petition and the parish priest's recommendation. If the Eparch considers the proposed transfer to be justified, he shall send a letter affirming the petition, along with a copy of the petition, to the appropriate diocesan Eparch of the petitioner in whose territory that person resides.
- 2.2.2.8 The diocesan Eparch shall review the petition and respond to the Eparch in writing, giving his response to the petition.
- 2.2.2.9 If both eparchs (bishops) agree to the transfer, the Eparch can issue a decree of transfer with the presumed permission of the Holy See.
- 2.2.2.10 If the diocesan Eparch of the petitioner does not give consent, the Eparch may petition the Holy See for approval.
- 2.2.2.11 The Eparch shall send the decree to the parish priest. The transfer takes effect at the moment the declaration is made (and signed if required) before the local hierarch or proper parish priest, or a priest delegated by either, and two witnesses, unless the rescript provides otherwise. A liturgical celebration is not to accompany this act nor may it even be executed in a public manner.
- 2.2.2.12 The parish priest/administrator shall record the transfer in the parish baptismal register in the current order. The decree and signed declaration must be kept in the parochial archives. A copy of the signed declaration should be sent to the chancery if required.
- 2.2.2.13 The parish priest/administrator shall send to the Church of baptism a notification of the transfer.
- 2.2.2.14 To ensure that the transfer has been duly noted on the baptismal certificate, the person transferring is advised to write to the Church of baptism requesting a copy of the baptismal certificate.

### 2.2.3 **Transfer for Marriage**

- 2.2.3.1 In accordance with CCEO canon 33, an Eastern Catholic is at liberty to transfer to the Church of his/her spouse at the celebration of or during their marriage. If the marriage is nullified, each spouse may freely return to the Church to which he/she originally belonged.
- 2.2.3.2 In accordance with canon 112 #2 CIC (Latin Code) a Latin rite spouse whether husband or wife, may transfer to the Church of the other spouse, provided, he or she declares at the time of marriage, or during marriage, that he or she is transferring to the Church of the other spouse. The following procedure for the transfer must be observed:
- The person must make the statement in writing and sign the statement before the proper cleric and two witnesses.

- This statement must be kept with the marriage file.
- A notation of the transfer must be made in the sacramental register for matrimony.
- The parish priest/administrator must notify the Church of baptism of the transfer

#### 2.2.4 **Transfer after Marriage**

- 2.2.4.1 With regard to a married couple, a husband who wishes to transfer Churches must submit a petition to the Eparch. If the wife is of the same Church as the transferring husband, she may transfer at that time with him, or at a later date during the marriage.
- 2.2.4.2 If it is the wife who is submitting a petition, and the husband is of the same Church, he must still submit his own individual petition if he also desires to transfer with her.
- 2.2.4.3 Children who have not completed their fourteenth year are automatically transferred with their parents. If only one parent transfers, both parents must mutually agree to the transfer of the children. Failing such agreement, the children must transfer to the Church of the father. Children fourteen and over must apply for themselves.

## **SECTION THREE:**

### **3. PRIESTS, DEACONS AND RELIGIOUS**

#### **3.1 Holy Orders**

3.1.1 Through sacramental ordination celebrated by a Bishop in virtue of the working of the Holy Spirit, sacred ministers are constituted, who are endowed with the function and power the Lord granted to his apostles, and in varying degrees share in the proclamation of the Gospel, shepherding and sanctifying the people of God. (CCEO Can. 743)

3.1.2 The ordination of an individual to minor orders and diaconate shall be made in the parish where the candidate was baptised and where he maintains his domicile. Ordination to the presbyterate (priesthood) shall normally be conferred in the Cathedral of Ss. Peter and Paul in Melbourne. A newly ordained priest shall serve the Liturgy of Thanksgiving in his native parish. The arrangements for this Liturgy should be decided between the newly ordained priest and his parish priest/administrator with the collaboration of the family and the parish.

3.1.3 Before advancement to major orders, the candidate shall make a spiritual retreat of no fewer than five (5) continuous days.

3.1.4 Because of the expectations attached to priesthood, everyone, but especially the clergy, has a strict obligation to report, in a proper and discreet manner to the relevant ecclesiastical authorities, any actual conduct of those preparing for sacred ordination which might indicate that these candidates are not suitable for the exercise of the ministry in the Eparchy.

#### **3.2 Appointment of Parish Priests/Administrators**

3.2.1 The Eparch shall appoint parish priests or administrators, whose duties shall be undertaken in line with CCEO canons 288 to 294 inclusively. (CCEO Can. 284)

3.2.2 The parish priest is entitled to stability in his office. (In other words, it is contrary to the spirit and letter of the law to appoint a priest to a posting for a short duration or to presume that the priest can be easily transferred at the decision of the Eparch). Administrators, while they have some duties in common with a parish priest, do not have the entitlement accorded to the parish priest and may be transferred by the Eparch at any time. (CCEO Can. 284.3)

3.2.3 In the dismissal or transfer of parish priests, CCEO canons 1389 to 1400 must be observed, unless otherwise decreed by laws or directive of the Apostolic See.

3.2.4 In the case of the transfer of a priest to a new community, mission, parish, or any other such Eparchial appointment as may from time to time be authorised and approved by the Eparch, the new community, mission parish or Eparchial appointment is to be responsible for all necessary and reasonable travel and freight costs associated with the transfer from a previous community., mission parish or Eparchial appointment, and which are mutually agreed upon between the new community, mission, parish or Eparchial appointment and the priest prior to the date of the transfer trip. Such costs may include, but are not limited to the costs associated with a one-way trip for the priest to the new parish, and the rental of a trailer, van, lorry, or the engagement of a removalist for the purposes of shifting all personal property of the priest.

### **3.3 Duties of Parish Priests/Administrators**

- 3.3.1 The ministry of the Word is carried out in many ways according to the various needs of those who hear and the special gifts of those who preach. Priests and parish priests or appointed others, e.g. deacons and Religious shall:
- Following the proclamation of the Scriptures, preach a homily which draws upon the sacred texts.
  - Preach a homily on the occasions of baptism, marriage and funerals.
  - On Sundays and Holy Days of obligation throughout the year, give an instructional homily at each scheduled Divine Liturgy.
- 3.3.2 The parish priest/administrator shall be responsible for administration of the finances, physical plant, real estate, and legal issues in conformity with all civil and ecclesiastical laws.
- 3.3.3 The financial obligations of the parish priest/administrator shall include:
- Keeping accurate financial records;
  - Managing cash flow;
  - Managing the parish assets;
  - Complying with all requirements, both of civil and ecclesiastical law.
- 3.3.4 The parish priest/administrator shall manage the physical maintenance of the parish property by ensuring that all facilities are in working order and that the grounds are in proper repair.
- 3.3.5 The parish priest/administrator is solely responsible for:
- Initiating recommendations to the Eparch regarding sale, acquisition or lease of real estate.
  - Filing for property tax exemptions on qualified property and timely payment of taxes on non-exempt parish properties.
  - Ensuring the safety of the people and assets of the parish. The parish priest/administrator shall make sure all properties are insured and that the parish adheres to all occupational health and safety standards.
  - Ensuring that there is adequate insurance effected including public liability (in consultation with the eparchial chancery).
  - Reporting all accidents, injury, serious illness or death to the proper agencies and inform the chancery.
- 3.3.6 The parish priest/administrator has the responsibility of maintaining the proper legal status of the parish with due regard to all federal, state and local laws, including those affecting personnel.
- 3.3.7 He must properly report to the chancery and insurer all incidents or probable violations that may lead to litigation.
- 3.3.8 He shall refer news media to the chancery office in the event of threatened litigation of a public and potentially scandalous nature.
- 3.3.9 The parish priest shall ensure that health and safety issues are addressed in relation to all parish properties. A non-smoking environment shall be provided at all times with strict monitoring of any alcoholic beverage consumption at all parish functions.

### **3.4 Parish Archives**

- 3.4.1 The records of the parish are the means of recording important events in the life of individuals within the parish and the life of the parish itself. Therefore, the parish

priest/administrator has a major responsibility to preserve and update the books and documents of the parish. He shall maintain the following:

- The sacramental register containing, Baptism, Chrismation, Eucharist and First Holy Confession and reception into the Church by profession of faith;
- Transfer of ritual churches; and marriage; (Annual returns of these records shall be lodged with the Eparchial Office)
- Death register;
- Sick call register;
- A file for each marriage with the proper documentation;
- A file with chancery protocol correspondence pertaining to the life of the parish;
- A file of official letters from the parish priest/administrator to parishioners;
- Sunday bulletins;
- All documents pertaining to real estate and the property of the parish;
- All documents pertaining to buildings;
- A file containing minute books of all parish organisations;
- All financial records and reports;
- The current parish/mission inventory; a copy of which shall be lodged with the eparchial office;
- The parish census – which includes a current list of names, addresses and phone numbers of parishioners; a copy of which shall be lodged with the eparchial office;
- Copy of the Code of Canons for the Eastern Churches;
- Copy of the Eparchial Statutes;
- A list of liturgical intentions, both those which have and those which have not been celebrated.

### **3.5 Presbytery**

- 3.5.1 All priests (parish priests, administrators and assistant priests and their families) must reside in the presbytery or designated house supplied by the parish unless the Eparch permits them to reside elsewhere.
- 3.5.2 Priests should be provided with comfortable and private living quarters that are functional, clean and properly furnished.
- 3.5.3 The clergy residing in the presbytery should oversee its cleanliness and upkeep. The parish shall provide a cleaning person to maintain the presbytery regularly.
- 3.5.4 Regular maintenance, which includes painting, replacing carpeting, replacing furnishings when needed etc., should be performed on the parish house.
- 3.5.5 When a priest is transferred, he should ensure that his successor will have all the necessary amenities in the residence that the residence is left clean and orderly.
- 3.5.6 Priests are obliged to carefully observe the prescriptions of “Integrity in Ministry.
- 3.5.7 Priests are prohibited from having unchaperoned minors frequenting their living quarters.
- 3.5.8 Priests are not allowed to have minors, outside of blood relatives, stay in the presbytery overnight unless the minors are accompanied by their parents.
- 3.5.9 Other than the priest’s wife and children (if applicable), no lay person (relatives, friends or acquaintances) of a priest is to reside in the presbytery with the priest, without the written permission of the Eparch.

- 3.5.10 Relatives of the priest may not to be employed by the parish without the permission of the Eparch.
- 3.5.11 Priests are entitled and encouraged to have guests visit and even stay overnight, provided the stay is not a permanent situation and lasts no longer than a month. Other arrangements will require written permission of the Eparch.

### **3.6 Continuing Education and Formation of Clerics**

- 3.6.1 The priest, deacon and Religious are encouraged to engage in personal study and reflection regarding their ministry and to participate in clergy formation programs (CCEO Can. 372).
- 3.6.2 Although it is desirable that clerics make frequent retreats, the secular clergy are obliged to make a retreat at least once a year (CCEO Can.369).
- 3.6.3 The priests shall attend annual Eparchial meetings and conferences. Travel and conference expenses are to be covered by the parish or mission.
- 3.6.4 The priest, deacon and Religious shall support Eparchial goals and programs and assist in Eparchial efforts by personal involvement and by lending such support as strengthens the fraternity of the clergy. They shall show a willingness to support programs and activities which serve the good of the whole Church in the Eparchy.

### **3.7 Obligations of a Parish Priest/Administrator**

#### **3.7.1 Stipends for the Divine Liturgy and Other Services**

- 3.7.1.1 The offering presented along with a request for the celebration of a Divine Liturgy, panachyda, parastas or other ritual prayers, does not represent payment for the performance of the divine services; rather such offering represents an alms for the partial livelihood of the priest.
- 3.7.1.2 The parish priest/administrator is obliged to offer the Divine Liturgy for his parishioners without any separate remuneration on all Sundays and Holy Days of obligation. (CCEO Can. 294)
- 3.7.1.3 The priest may accept offerings for the celebration of a second or even a third Divine Liturgy on the same day, but the stipend must be forwarded to the Eparch's chancery for the charity designated by the Eparch, which is for the Education of Priests no later than the end of the month in which the obligation was satisfied.
- 3.7.1.4 A priest who is a member of a community of consecrated life, and to whom the parish was entrusted, may forward the offerings received for Divine Liturgy to his superiors for the education of candidates to that Religious community.
- 3.7.1.5 The parish priest/administrator may accept a foundation for celebrating the Divine Liturgy only with the prior consent of the Eparch. This applies to members of communities of consecrated life to whom a parish is entrusted.

### **3.8 Endowments and Foundations**

- 3.8.1 The donor of the endowment of the foundation shall be informed that it will be accepted under these conditions:
- It will be received only for the duration of twenty-five years.
  - The capital of the endowment will be forwarded by the parish priest/administrator to the Eparch's chancery so that it can be deposited in a secure financial institution, and the interest returned to the parish annually until the 25th year.

- After 25 years the endowment will be given to the Eparchy, with the obligation to include in prayers for its benefactors the intention of the original foundation as well.
- 3.8.2 Every church must have and keep a separate register for foundations for Divine Liturgy, even though their number may be small. The following information must be entered:
- The full name and address of the donor and the date the foundation was established;
  - The intention and the conditions with respect to the date and circumstances for the celebrations as stipulated by the donor and accepted by the parish priest;
  - The date and serial number of the decision of the Eparch's chancery by which the foundation was confirmed;
  - The full name of the priest who has satisfied the obligation on each occasion and the date of the celebration;
- 3.8.3 The dates for these foundation Divine Liturgies must be posted in the sacristy in a suitable manner.
- 3.8.4 The parish priest/administrator must inform the Eparch's office in writing when the obligation of the foundation Divine Liturgy has been satisfied.

### **3.9 Register of Intentions**

- 3.9.1 Each intention and the offering received for the celebration of a Eucharistic Liturgy (as well as for parastas, panachyda, akathist, etc.) must be recorded at once in a special hard bound book, the Register of Intentions (Divine Liturgy Stipend Book).
- 3.9.2 The following information must be recorded accurately and fully in the Register of Intentions:
- The full name of the donor;
  - The date when the intention was received;
  - The number and kind of services requested;
  - Conditions and circumstances for celebration as stipulated by the donor;
  - The date when the obligation was satisfied, or the name of the priest to whom it was transferred;
- 3.9.3 The following personnel are required to keep a Register of Intentions:
- All parish priest/administrator are required to record requests for services in their respective churches;
  - Assistant priests are required to record requests for services in their non-official capacity provided that these requests have not previously been recorded in the parish Register of Intentions;
  - Chaplains of Religious institutes, as well as the lay superior of the house if requests were received;
  - Priests on other than pastoral assignments;
  - Priests holding no office, whether retired or not.
- 3.9.4 With the exception of members of exempt clerical Religious institutes, all priests attached to, or merely residing in, a given parish, shall submit the Register of Intentions for inspection on the occasion of a canonical visitation by the Eparch, the chancellor or some other representative of the Eparch.



### **3.10 Guidelines for Acceptance of Stipends**

- 3.10.1 No priest is permitted to retain more stipends for the Divine Liturgy than can be satisfied within one year by himself and the other priests attached to the parish, contrary stipulations or concessions by the donors notwithstanding. If this account exceeds the number of Divine Liturgies which can be satisfied within one year, the priest shall inform any prospective donor accordingly and propose that he be allowed to transfer the stipends to another priest or church, or to the Eparch's chancery. If this proposal is not agreeable to the donor, the priest may not accept the stipend and shall suggest that the donor postpone his request to some later date. The parish priest/administrator or priest maintaining a Register of Intentions may not honour a donor's request to the effect that the stipends be retained by the priest for an additional period of time. Priests are encouraged to forward excess stipends to the chancery.
- 3.10.2 Parish priests shall inform the faithful that there are alternate priests available for celebrating their intentions; for example, those assigned to institutions of the Eparchy such as the Eparch's chancery and to retired priests. The Eparch shall ask the faithful to agree to have their requests for the celebration of the Divine Liturgy forwarded to such priests.
- 3.10.3 Money which has been received as offerings for Divine Liturgy, parastas, moleben, panachyda and any other service which cannot be discharged within one month may not be converted for the clergy's use rather it shall be deposited into a bank account from which money can be withdrawn either by the parish priest/administrator or by "The Ukrainian Catholic Eparch of Ss. Peter and Paul in Melbourne". If the parish priest/administrator is transferred to another assignment, he shall have his name on the account changed to that of his successor and, in the event of death, provide that the Eparch can effect the change.
- 3.10.4 Upon transfer to a new assignment, a priest may take with him only those offerings that he received in a private capacity and those for which he has obtained the explicit consent of the donor.
- 3.10.5 The practice in some parishes, whereby the several assigned priests accumulate the stipends for all divine services in the course of a month and then share them among themselves equally without consideration of kind or number (which can differ because of funerals or other duties), is an acceptable practice to follow and recommended by the Eparchy.

### **3.11 Deacons**

- 3.11.1 In accord with the CCEO, the deacon is an ordained cleric, enrolled in an Eparchy and, as such, is a member of the clergy of that Eparchy.
- 3.11.2 Deacons and priests should foster a genuine respect for each other and for the integrity of their two distinct ministries.
- 3.11.3 Priests shall accept, support and affirm the ministerial role of the deacon. Deacons shall, likewise, accept, support and affirm the ministerial role of the priest.
- 3.11.4 Prior to seeking admission to diaconate and priesthood, a married man must have the consent and support of his wife. The wife of a deacon should support her husband in his role as a minister of the Church.
- 3.11.5 A married deacon is expected to be a dedicated and loving husband and father and, by virtue of such dedication set an example of Christian family living to the community.

- 3.11.6 Each deacon is encouraged to have a spiritual director and to nurture his own spiritual life.
- 3.11.7 Deacons and deacons' wives are expected to take all opportunities for spiritual growth and continuing education.
- 3.11.8 The deacon, as an ordained cleric with the faculties of the Eparchy, is assigned to a particular parish as a co-worker with the parish priest/administrator ministering to the needs of that parish.
- 3.11.9 The deacon, as a co-worker with the parish priest, is expected to be involved in the life of his parish.
- 3.11.10 While the parish priest/administrator is the one ultimately responsible for the parish, he and the Deacon (with the parochial vicar(s), if there are any) and Religious constitute the pastoral team of the parish.
- 3.11.11 The Eparch along with the parish priest/administrator defines the particular role, including that of exercising his liturgical role, that the deacon will have in helping to animate and direct the parish.
- 3.11.12 The deacon shall exercise his ministry in those areas assigned him, e.g. religious education (baptismal, catechumenate, marriage preparation); visiting the sick, co-ordinating altar servers, moderating specific parish organisations, etc.
- 3.11.13 The Eparch, in consultation with the local parish priest/administrator, determines the financial remuneration for each deacon.

### **3.12 Liturgical Role of the Deacon**

- 3.12.1 The deacon's primary ministry is liturgical, but not limited to this ministry and should include other forms of service.
- 3.12.2 The deacon who has been assigned to a particular parish has a right to participate actively in his particular capacity as deacon in liturgical services celebrated within the parish.
- 3.12.3 The deacon may, in absence of a priest, celebrate typica, vespers, matins, parastas, paraklis, moleben and akathist.
- 3.12.4 The deacon may not celebrate the Divine Liturgy, chrismation, matrimony, or the anointing of the sick; nor, may he confer baptism (except in the case of emergency) because these Holy Mysteries, by the sacred and respected tradition of the Ukrainian Church must be celebrated by a priest. In extraordinary circumstances in mission territories the Eparch may grant exceptions.
- 3.12.5 The deacon may assist with the distribution of Holy Eucharist and, in agreement with the parish priest/administrator and with a mandate from the Eparch, may preach.
- 3.12.6 Any deacon ordained for the Eparchy, or having faculties of this Eparchy or another Eparchy, is welcomed to exercise his diaconal ministry in any parish of the Eparchy with the permission of the local parish priest. If the deacon is obliged to travel a great distance, the requesting parish priest/administrator shall pay the travelling expenses of the deacon from parish funds.

### **3.13 Enrolment and Service of Clerics in the Eparchy**

- 3.13.1 Non-enrolled priests and deacons are eligible to request enrolment into the Eparchy, after serving a minimum of three years in the full service of this Eparchy. The petitioner shall write to the Eparch stating that he seeks enrolment into the Eparchy. (CCEO Can. 360)

- 3.13.2 With reference to CCEO canon 360.2 before completing five years of service in this Eparchy, any cleric from another Eparchy may apply in writing for enrolment. If enrolment is refused, the cleric will either return to his own Eparchy or Religious community or, if permitted by the Eparch, continue to work in this Eparchy. Such a priest must however secure proper authorisation from his own Eparchial Eparch or Religious superior in order to be allowed to continue working for the Eparchy.
- 3.13.3 In accordance with CCEO canon 366, the following documentation shall be supplied by the petitioner to the Eparch before the request for enrolment may be reviewed:
- A personal history, including date and place of birth, family history, schools attended and degrees received special talents or skills in the ministry, significant illnesses, any physical and/or emotional problems and any other pertinent information.
  - A ministerial history, including the date and place of ordination, an account of assignments held, reason for transfers, etc.
  - The petition, as such, should include these elements:
    - Reasons for requesting enrolment in the Eparchy;
    - Reasons for leaving the former Eparchy or Religious community;
    - Indication of the types of assignments sought;
    - Indications of the types of assignments for which he feels unsuited;
    - A signed statement that he has never been arrested or convicted of a crime or committed criminal behaviour, whether felony or misdemeanour. If these have occurred, he shall provide a detailed explanation of each and every occurrence;
    - A decree of release or a letter from the Eparch of his former Eparchy granting the petitioner permission to seek enrolment into this Eparchy (cf. CCEO Can. 366.4);
    - Certification of health from doctors appointed by this Eparchy;
- 3.13.4 The Eparch shall request the personnel files of the petitioner from his previous Eparch or Religious superior, which should include evaluation of the priestly and ministerial skills of the petitioner as a co-worker in the Eparchy.
- 3.13.5 The final decision on the request for enrolment is the responsibility of the Eparch after consultation with the Eparchial College of Consultors.

### **3.14 Serving with Bi-ritual Faculties**

- 3.14.1 A priest who already enjoys bi-ritual faculties and who offers to use them to serve as a visiting priest within the Eparchy shall present a copy of the rescript directly to the Eparch. If the Eparch is convinced that the priest is knowledgeable in the rites and traditions of the Ukrainian Catholic Church and approves his offer, the priest is free to serve anywhere in the Eparchy until his faculties lapse or he is notified that his services are no longer requested.
- 3.14.2 A priest who does not yet enjoy bi-ritual faculties, but who wishes to obtain them through this Eparchy, shall appeal with the permission of his own diocesan Eparch to the Eparch who shall ensure that he is properly trained for service. Bi-ritual faculties through this Eparchy will not be granted for use in circumstances other than the parochial service to the People of God within this Eparchy, and not for private devotion or personal ministry, such as a house of prayer.

### **3.15 Pastoral Ministry**

- 3.15.1 As mandated by CCEO canons 367 & 379, by virtue of sacred ordination the Eparch, priests, deacons and Religious are expected to work together to build up the Kingdom of God within the Eparchy. Thus, they shall be united by a bond of brotherhood and prayer. Priests, deacons and Religious shall strive to cooperate with the Eparch and each other.

### **3.16 Personal Spirituality**

- 3.16.1 A priest, deacon or Religious should be recognised as a person of faith who is able to communicate his faith to others in the performance of his ministry. He must find in his personal prayer, in his participation in the liturgical life of the church and in his ministry to the people in his charge, the means of spiritual growth. He must provide spiritual leadership that demonstrates and utilises belief, prayer and a deep sacramental life as motivating, sustaining influences. He must deepen his personal commitment to Christ through reading, reflection, forgiveness, study and prayer.
- 3.16.2 To this end, each priest is entitled to one day each month for prayer and recollection in seclusion. These occasions may not be considered as a day off or a vacation day. These days of recollection may not be accumulated.

### **3.17 Liturgical Ability**

- 3.17.1 Priests and deacons should demonstrate a willingness and an ability to celebrate reverently, and with dignity, the liturgical services of the Church. The liturgical services of the Church should be celebrated in accord with the provisions of canon law, the Ukrainian tradition, the directives issued by the Synod and the Eparch.
- 3.17.2 Priests, deacons and those appointed shall prepare, and effectively deliver, homilies on the Word of God.
- 3.17.3 Priests, deacons, Religious and laity shall assume a leadership role in the formation of the prayer life of the parish community.
- 3.17.4 Priests and deacons are expected to be actively interested in the continuation of their own priestly or diaconal ministry by fostering vocations to the priesthood, diaconate, and Religious life. The Eparchy will invariably have its own Director/Promotor of Vocations.

### **3.18 Pastoral Abilities**

- 3.18.1 Priests, deacons and religious of the Eparchy should demonstrate concern for the sick, the poor, the alienated, the distressed, the disadvantaged, and the unchurched.
- 3.18.2 Priests, deacons and Religious of the Eparchy should be accessible to people in times of stress and crisis. They should be sensitive and concerned in the way they organise services to meet individual and community needs. All priests and deacons shall undertake home visitation.
- 3.18.3 Priests, deacons and Religious of the Eparchy shall provide individual and family counselling within the limitations of their skills and time. Needs beyond this should be referred to other Church agencies and community services.
- 3.18.4 Priests, deacons and Religious of the Eparchy shall provide leadership and promote co-operation with the Parish Council and other parish groups.
- 3.18.5 Priests, deacons and Religious of the Eparchy shall exercise their pastoral office in helping to unify the community.

### **3.19 Parish Administration**

- 3.19.1 In his role as parish priest (or administrator, one who in virtue of canons 298 and 299 takes his place on a temporary basis), the priest shall strive:
- To build a Faith Community;
  - To organise parish work, and to assign and supervise it in an effective manner, while promoting teamwork and co-ordination among the pastoral staff (if there is one) and among parish volunteers and organisations;
  - To make decisions based on his own reflection and the input of others in view of the particular needs of the community;
  - To keep the sacramental register and parish census current;
  - To discharge satisfactorily the management responsibilities of program planning and operation, parish finances, plant maintenance, budget planning and fund raising.
  - To forward yearly statistical information of baptisms, confirmations, first Holy Eucharists and marriages to the Eparchial chancery.
- 3.19.2 Clerics are reminded that the Church's social teaching on justice requires fairness and equity when dealing with employees. Stipends and benefits should be provided in accord with the employee's level of responsibilities and in line with the prevailing market values for equivalent responsibilities.
- 3.19.3 Clerics shall purchase and make provision for the maintenance of their own vehicles. It is not the responsibility of the hierarch, the parish, or the lay people to do so.

### **3.20 Financial Accountability**

- 3.20.1 Church members, both lay people and clergy, shall return a portion or tithe of their income for the support of the Church on a local, Eparchial, synodal and universal level.
- 3.20.2 The Eparch, the Eparchial econome, parish priests and administrators have the obligation to use this gift wisely and at the discretion of the Eparch may be asked from time to time to render an accounting of its use to the faithful as evidence of good stewardship.
- 3.20.3 The calendar year shall be the fiscal year of the Eparchy and the parishes/missions.

### **3.21 Eparchy and Finance**

- 3.21.1 The Eparchial Financial Officer will prepare for the Eparch a financial report on the Eparchy each fiscal year for distribution to the parishes by September 1.
- 3.21.2 The financial report will be published and distributed to all parishes and missions by September 15.

### **3.22 Parishes and Missions**

- 3.22.1 The parish priest/administrator must prepare a financial report of the previous fiscal year for distribution to the parishioners by September 1. The annual financial report will contain the parish revenue and disbursements; the cheque account balance and the balance of all other accounts as of June 30 of the said year.
- 3.22.2 A copy of this annual financial report must be sent to the Eparch by July 31.

### **3.23 Inventories**

- 3.23.1 On taking possession of his parish, the parish priest, along with a member of the Parish Council, shall maintain an inventory of the physical goods that belong to the parish. Each separate building shall have its own detailed inventory room by room.
- 3.23.2 Each priest shall have an inventory of personal possessions that he has with him in the presbytery; this inventory shall be updated every September 1 and a copy sent to the Eparchial office.

### **3.24 Guidelines for Accepting Gifts of Real Property**

- 3.24.1 Unless decreed otherwise by the Eparch, the priest or parish shall decline any property offered to him/it if that property is encumbered by liens, debts, or other environmental liabilities.
- 3.24.2 Property must be free from donor-imposed restrictions concerning its use. In accordance with CCEO canon 1045 #3, if property is offered for a specific purpose, the parish priest/administrator requires written permission of the Eparch for acceptance.
- 3.24.3 Any proceeds from the sale of property that the donor requests be given to a specific parish or Eparchial need must be honoured.
- 3.24.4 The name in which real property must be titled is: Trustees of the Ukrainian Catholic Church in Australia, Eparchy of Ss. Peter and Paul of Melbourne.
- 3.24.5 The subsequent sale or use of donated property must have the written permission of the Eparch.

### **3.25 Guidelines: Purchase and Sale of Property**

- 3.25.1 The parish priest/administrator and Religious of the parish shall meet with the Parish Council to:
- Study the needs of the parish with regard to its further growth and development;
  - Study how the proposed property, its purchase or sale, furthers that growth and development;
  - Review the specifications, zoning, environmental factors and asking or selling price for the property;
  - Review the financial reports of the parish in the past three years, as well as the current year, to determine the viability of the purchase or sale; and
  - Obtain an independent appraisal of the property.
- 3.25.2 Upon completing this process, the parish priest/administrator shall send the necessary documents to the Eparch for his review. These documents shall include:
- A letter from the parish priest/administrator explaining the reasons for the transaction and a review of the aforementioned process;
  - A report of the findings of the Parish Council;
  - The parish financial reports for the last three years and the report for the current fiscal year.
- 3.25.3 The Eparch shall then review the information and nominate the course of action to pursue.

### **3.25A Guidelines: Use of Church Property**

- 3.25A.1 Any use of the Eparchy property for community activities by various community groups shall be approved by the Parish priest or, if in doubt, by the Eparch and shall fit within the canons of the Eparchy.
- 3.25A.2 Such use may be based on commercial rates and appropriate lease or licence entered into in accordance with the Relevant Law.
- 3.25A.3 Any lease of Eparchy property, other than ecclesiastical goods noted in Appendix D, to other churches shall in the first instance be approved by the Parish priest or, if in doubt, by the Eparch and shall fit within the canons of the Eparchy.
- 3.25A.4 A lease shall be prepared in accordance with the Relevant Law on commercial terms, except if the lease is to another church for the purposes of apostolate activities.
- 3.25A.5 Any use of the Eparchy premises for film production shall be approved by the Parish priest or, if in doubt, by the Eparch and shall meet the requirements of the canons of the Eparchy.
- 3.25A.6 Such use shall be based on commercial terms and an appropriate lease or licence entered into in accordance with the Relevant Law.
- 3.25A.7 Going forward, any use of the Eparchy property for commercial enterprises shall be on arm's length basis in accordance with the Relevant Law. In particular, the Eparchy will require that necessary insurance be in place and the Eparchy be indemnified for any loss caused in connection with such use.
- 3.25A.8 The use of the Eparchy property for commercial enterprises shall be in accordance with the guidelines issued by the Eparch from time to time.
- 3.25A.9 In respect to the existing arrangements regarding the use of the Eparchy property for commercial enterprises as at the date of these amendments, the Eparchy will act with transparency in any negotiations and elect to either extinguish current arrangements or contract new arrangements based on the principles outlined in clause 3.25A.8.

### **3.26 Compensation of Priests, Deacons and Religious**

- 3.26.1 Each Eparchial priest and Religious charged with an assignment in the Eparchy has the right to that stipend, sustenance, benefits and other compensation to which he/she is entitled as established by the Eparch. (CCEO Can. 390)
- 3.26.2 A priest shall accept the stipend, sustenance, benefits and other compensation due to him unless, with the Eparch's written permission, he freely chooses to accept nothing or a reduced sum, provided he does not lack the necessities of food, clothing and shelter.
- 3.26.3 If a priest, without the Eparch's written permission, fails to accept his stipend, sustenance, benefits and other compensation within one year of its becoming due to him, he thereby renounces his right to the compensation he did not accept, and may not thereafter seek it under any title from the Parish, the Eparch or the Eparchy.
- 3.26.4 The same stipulation shall apply to a priest who returns his accepted stipend, sustenance, benefits, or other compensation to the parish in the form of a loan without the Eparch's knowledge and written permission. The lender must assert his claim annually; if he fails to do so, this same money shall be deemed as having been given entirely as a gift for the use of the church and, as such, is not recoverable.

- 3.26.5 Where the combined stipend and sustenance happens to impose a serious financial burden upon his parish, the priest should present this matter to the Eparch for resolution.
- 3.26.6 The Parish Priest/Deacon shall be responsible for the upkeep of his spouse, family members and the education of his own children.
- 3.26.7 The clergy of the parish shall be entitled to all donations received at baptisms, wedding, funerals, blessings, visitations and stipends from other services.
- 3.26.8 Religious working in the Eparchy and being engaged in Eparchial work shall be entitled to fair compensation for their work.
- 3.26.9 The residences of the Religious shall be maintained by the parishes in which they work. Their expenses, relating to parish life, shall also be covered by the parish. Utilities in their residences shall be paid for by the parish.
- 3.26.10 Religious shall be entitled to be compensated each time they participate in services at the request of families or individuals.
- 3.26.11 Any exemptions to sub-clauses 8, 9 and 10 above may only be made with the approval of the Religious themselves in conjunction with the Eparch.
- 3.26.12 Where a priest relies solely on the benefits and emoluments provided by the Parish and or the Eparchy, the relevant Parish or, in the event that a priest is not serving within a Parish in the Eparchy, the Eparchy shall pay the sum of \$150.00 per annum towards premium payments on a priest's life insurance policy.
- 3.26.13 This amount shall be increased annually based on Consumer Price Index (All Groups) as published by the bureau of statistics of respective jurisdiction in respect to the area of service of the relevant priest.
- 3.26.14 The remaining amount of the due premium payments shall be paid by the relevant recipient priest.

### **3.27 Stipend Scales**

- 3.27.1 Resident parish priests and administrators of one parish, be they diocesan or Religious priests shall receive a stipend monthly in accordance with the rate set and notified from time to time by the Eparch. Priests who minister to two or more parishes or institutions shall have their base stipend determined by the Eparch directly.
- 3.27.2 Resident parochial vicars, be they eparchial or Religious priests, shall receive a base stipend monthly and automatic incremental increases equal to increases awarded to parish priests and administrators in accordance with the rate set and notified from time to time by the Eparch.
- 3.27.3 Priests may not receive advances on their stipend.

### **3.28 Food and Automobile Allowance**

- 3.28.1 Resident parish priests, administrators, parochial vicars and Religious shall receive, in addition to their stipends, a monthly allowance for on site food and automobile use as notified by the Eparch from time to time.
- 3.28.2 Priests may not receive advances on their food and automobile allowances.

### **3.29 Taxes**

- 3.29.1 Clergy are responsible for lodging their personal income tax returns and paying their own Commonwealth or State income tax or other taxes, including, but not



limited to, PAYG tax, from their own personal funds and not from parish funds. The Eparch shall from time to time issue a directive as to how clergy may minimise their liability for PAYG tax.

### **3.30 Other Benefits**

#### **3.30.1 Retired Clergy (Priests, Deacons and Religious)**

- 3.30.1.1 In accordance with CCEO canon 297, all priests and deacons may submit their resignation to the Eparch at the age of seventy (70), and are encouraged to do so at the age of seventy-five (75).
- 3.30.1.2 It is the prerogative of the Eparch to accept or refuse the request for retirement.
- 3.30.1.3 Retired priests and deacons are encouraged to remain close to the Lord and His People by celebrating the Divine Liturgy whenever possible according to their proper liturgical role.

### **3.31 Clergy Welfare Fund**

- 3.31.1 A fund called "Clergy Welfare Fund" has been established in the Eparchy to assist in providing for the financial needs of clergy in retirement (See Appendix H for the by-laws). This fund will exist under the guidance of the Eparchial Financial Council and the Eparch. The responsibility for the financial support of all clergy within the Eparchy is the responsibility of the whole Eparchy. The Eparchy, the clergy themselves, and the people of God shall share in this obligation according to guidelines set by the Eparchial Bishop and the Financial Council, having listened to the experts in the field. (CCEO Can. 390)
- 3.31.2 It is the duty of each parish and mission in the Eparchy to make annual contributions to this fund according to the instructions issued by the Eparchial office.
- 3.31.3 The clergy, themselves, have an obligation to make contributions to this fund. They are encouraged to be mindful of this fund in their Wills and Testaments.
- 3.31.4 Fund raising events in support of this fund should be organised from time to time within the Eparchy.
- 3.31.5 Each priest, deacon and Religious shall ensure that his/her health and financial needs in the future, especially in retirement, are taken care of.
- 3.31.6 Each priest/deacon shall have a life insurance policy and or a personal investment fund to cover his possible future needs and, in the case of married clergy, the future needs of his wife and children. This planning should be done in consultation and co-operation with the Eparchy at large.
- 3.31.7 Any priest/deacon who wishes to be excluded from the directive to have a life insurance policy or a personal investment fund must apply in writing for this exclusion and in the case of married clergy both the priest and his wife must apply in writing. The Eparch may at his discretion issue a letter granting this exclusion. In such a case, the priest, or in the case of a married priest, his family also, shall have no other recourse to the Eparchy in the future.
- 3.31.8 In the case of death of a married priest/deacon, his wife and children shall vacate the parish residences and relocate into their own residence as soon as possible, but no later than three months after the death of the priest. Previous financial arrangements should take care of their immediate needs. A copy of all insurance policies and personal investment funds must be sent to the Eparchial office within 30 days of the establishment of such funds.

3.31.9 Upon retirement, priests and deacons should keep the chancery informed of their addresses.

### **3.32 Early Retirement**

3.32.1 The Eparch will determine the need for early retirement after conferring with the requesting priest and his physicians. Such priests may be eligible for early retirement assistance. The level of compensation granted for early retirement shall be determined in a manner similar to that provided for normal retirement.

### **3.33 Health Insurance**

3.33.1 The priest's source of stipend shall provide the required contribution to the medical plan of the priest's choice. The medical plan should be of the highest available schedule.

### **3.34 Automobile Insurance**

3.34.1 It is the responsibility of the priest to ensure that he:

- Registers and keeps current the registration of his vehicle as is required by Federal and/or State Law.
- Effects and keeps current comprehensive motor vehicle insurance policy; or purchases Third Party Property damage insurance.

3.34.2 Each priest (unless he insures through Eparchial insurance arrangements) must file a copy of his automobile insurance policy or renewal notice with the chancery within 30 days of its renewal.

### **3.35 Ongoing Education Allowance**

3.35.1 The source of income for the priest shall provide an allowance of up to an amount set by the Eparch from time to time for continuing education and retreat expenses. These funds must be accounted for by a voucher system. These funds are in addition to any mandated clergy conferences.

### **3.36 Vacation**

3.36.1 Parish priests, administrators and parochial vicars are entitled to one month's paid vacation, in accordance with CCEO canon 392.

3.36.2 If a priest intends to be absent from his charge for more than one week, or from Saturday afternoon to Sunday afternoon, he must arrange for a substitute and submit the name of the substitute to the Eparch.

3.36.3 Spiritual retreats, days of recollection, clergy conferences and absences for ongoing education shall not be counted as vacation days or free days.

3.36.4 Priests are obligated to be in their assigned parish on Holy Days of obligation and during the Great Fast.

3.36.5 Unused vacation time may not be transferred to another year or traded in for a stipend.

3.36.6 In view of the debilitating effects of stress in contemporary parochial life, and admitting the need for periodic academic updating, priests shall have the opportunity to apply for a sabbatical of up to twelve (12) months once every ten

(10) years. The purpose of the sabbatical must be submitted in writing to the Eparch for approval.

### **3.37 Telephone**

3.37.1 The parish is financially responsible for all telephone charges. Priests must reimburse the parish for their own personal long distance calls.

### **3.38 Last Will & Testament**

3.38.1 Within three months of ordination or enrolment, every eparchial priest shall make a Last Will and Testament, in a form valid under civil law and complying with the laws of the state in which it is being made.

3.38.2 The testator shall appoint one or more executors of his estate, preferably clerics in good standing.

3.38.3 It is advisable to have contained in the Will, or in a letter preserved together with the Will, a list of property, e.g. bonds, bank accounts real estate, an inventory of personal possessions found in the presbytery or other residences. It is advisable that the letter also contain a list of persons, with their addresses and phone numbers, who ought to be informed of the testator's death.

3.38.4 A copy of the Will must be furnished to the Eparch in a sealed envelope bearing the presbyter's name, date of execution and the name of the executor. The will is may be opened only on the demise of the priest.

3.38.5 Personal priestly vestments, sacred vessels and the like should be willed to another priest or to the church for proper disposition.

3.38.6 The Will should be revised periodically to conform with changes in possessions or changes in family or beneficiaries. In such circumstances, the testator must revoke all previous Wills.

3.38.7 Each time the Will is changed or updated, a copy of the changed or updated will shall be sent to the Eparch in a sealed envelope bearing the presbyter's name, date of execution and the name of the executor. The previous copy, if any, shall be returned to the testator.

3.38.8 Priests are urged to be mindful of the needs of their Eparchy in their Wills.

3.38.9 Clerics are not permitted to prepare or to assist in the preparation of a Will for anyone other than another cleric. They should not volunteer to act as executors of a Last Will & Testament for anyone except another cleric or an immediate relative.

### **3.39 Physical Safety and Precautions**

3.39.1 Those in charge shall see to it, or depute another to ensure that:

- Strangers are not given entry into the church, presbytery or convent at night;
- Strangers arriving at the door at night are treated with the utmost caution;
- The charitable works done within and by the parish are handled in a routine and orderly (scheduled) manner, and that strangers coming to the door at other times be referred to the local Catholic Charities or other agencies;
- No staff person may indicate, by word or deed, that money is being kept in the presbytery or convent;
- A request for a sick call at night by an unknown person may be attended to at the hospital, or only in the presence of medical or emergency service personnel.

Under no circumstance should a priest go alone to an unknown or unfamiliar destination.

### **3.40 The Death of a Priest or Deacon**

- 3.40.1 Each priest and deacon should have a letter in his personnel file in the Eparch's office stating his desires regarding his funeral. Any changes or updates should be forwarded to the Eparch in writing.
- 3.40.2 With regard to personal property, no relatives, friends, or agents of the Eparchy or parish, shall be allowed in the presbytery without the express permission and presence of both the chancellor (or the one designated by him or the Eparch) and the executor of the estate.
- 3.40.3 With all due regard and care for the prescriptions of civil law, the Eparch and the chancellor will honour the arrangements of the deceased priest or deacon while taking into account the desires of his immediate family.
- 3.40.4 If possible, the main funeral should be celebrated in the parish to which the deceased priest or deacon was last assigned.
- 3.40.5 In accordance with CCEO canon 385.2, clerics may not engage in, or be involved in, legal or business transactions. Clerics must not make loans, even from their personal finances.

### **3.41 Institutes of Consecrated Life (Brothers and Sisters) -The Religious State**

- 3.41.1 Inasmuch as the Religious state is to be encouraged and promoted by all, parish priests should bring to the attention of the faithful the example of those consecrated in the evangelical counsels.
- 3.41.2 Religious, especially those who work with the faithful in the Eparchy, must show by their own example the blessedness of that consecrated life in the Lord so as to witness by deed as well as word to the teachings of the Lord Jesus.
- 3.41.3 Clergy should be docile and open to the workings of the Holy Spirit in the People of God so as to recognise the works of the Spirit who, from time to time, urges certain souls to unite in some way for a common good that would bring blessings for the Church. Clergy must be open to new ways, and encourage individuals to seek the counsel of the Eparch in determining the possibility of:
- Establishing a new congregation, male or female; (CCEO Can. 506);
  - Founding a Secular Institute, male or female (CCEO Can. 563 ff.);
  - Discovering new gifts of consecrated life as entrusted to the Church by the Holy Spirit, so as to aid in the founding of even new societies of apostolic life for men or women. (cf. CCEO Can. 570-572).

## **SECTION FOUR:**

### **4. THE SACRAMENTS IN GENERAL, RITES OF INITIATION, PENANCE, MARRIAGE, ANOINTING AND DIVINE LITURGY**

#### **4.1 General principles**

4.1.1 General principles regarding the administration of the Sacraments in the Ukrainian Catholic Church are as follows:

4.1.2 Since the Sacraments, the Holy Mysteries, are the same for the whole Church, even though the manner of celebrating them might differ from one faith community to another, the regulation of public worship is entrusted to competent authority. No ecclesiastical person can add to, remove, or modify that which was established by this authority.

4.1.3 Ministers shall celebrate the sacraments, and Divine Liturgy, according to the prescriptions of the Byzantine Ukrainian tradition, with the active participation of the faithful.

4.1.4 All liturgical ministers of the Ukrainian Church, but especially eparchs and priests, shall keep to the authentic Byzantine liturgical tradition. No Eparch, priest or deacon is empowered to appropriate the customs and traditions from other liturgical traditions.

4.1.5 Every priest is obliged to follow the rules of the Byzantine Ukrainian Church confirmed by the Apostolic See and included in official liturgical books and instructions of the Eparch, in the administration of the sacraments or in the other divine services. All members of the Eparchy have a right to what is officially approved in liturgical matters. Any deliberate and unapproved alteration of rules on the part of the Clergy is an act contrary to the rights of the Christian Faithful.

4.1.6 All Eparchs, priests and deacons are to use the books and texts, in the language, approved by the Holy Synod of the Byzantine Ukrainian Church in the celebration of the Divine Liturgy and other services.

4.1.7 The ministers and servers, as well as all participants, shall take care that the words of divine services are said or sung in a clear and dignified manner. Those in charge must ensure that the vestments, vessels and appointments for worship are of suitable material, and that they are clean and presentable.

4.1.8 It is absolutely forbidden to make any kind of monetary payment a condition for the administration of a sacrament. Even the mere appearance of trafficking in the sacraments must be strictly avoided. Without prejudice to other precepts, the clergy may accept those stipends and gifts presented by the faithful on the occasion of administration of the sacraments except in the case of the celebration of the sacrament of penance, when it is forbidden to do so.

#### **4.2 The Rites of Initiation**

4.2.1 In case of an emergency, baptism may be celebrated anywhere at any time by anyone. In ordinary circumstances, unless serious reason indicates otherwise, baptism together with Chrismation and Holy Eucharist should be administered in a parish church with due regard for legitimate customs (CCEO Can. 687)

4.2.2 Even if triple effusion (pouring) must be used for some reason, the baptismal font must nonetheless be employed for the blessing of the water and the mingling with the oil of catechumens.

4.2.3 Both the water for baptism and the oil for catechumens must be blessed for each celebration of the mysteries. These elements are to be disposed of reverently by pouring them afterwards into the sacrarium or onto the ground in a place where people do not walk (e.g. a flower bed), or by burning the oil.

### **4.3 Recording the Initiation**

4.3.1 A priest who has care of a parish is obliged to keep the register of baptism, Chrismation and Holy Eucharist and reception accurately, no excuse withstanding, by making the entries immediately after the rites have been executed.

4.3.2 After administering baptism, the following data must be legibly recorded in the register at once:

- The legal names of the baptised person;
- The Father's given name and surname, along with the mother's given name and maiden name (cf below):
- The given names and surnames of the sponsors;
- The date and place of the baptised person's birth;
- The date of Baptism, Chrismation and Holy Eucharist: (If these sacraments were administered separately and in different places, this detail shall be indicated.)
- The given name and surname of the person who administered baptism. If the sacrament was conferred in a situation whereby a person was in danger of death, this shall be indicated, along with the date when the ceremony was performed.

4.3.3 The priest shall indicate clearly if the parents are living in an invalid marriage or outside of marriage completely. In the latter case, the name of the father is usually not recorded, unless he has publicly admitted paternity or consents to the inclusion of his name. If the parents are subsequently married, or have their marriage validated, this fact must also be recorded in the same register where the baptism was first registered.

4.3.4 In giving a baptismal certificate, only that information should be conveyed which is essential for the purpose of that particular document. Material of a sensitive nature is conveyed only in those certificates being used in the internal forum, and these shall be mailed directly to the competent Church authorities who have requested them.

4.3.5 If baptism is administered without Chrismation, the priest must list the reason for this omission in the annotations column of the register.

4.3.6 In the case of conversions, the protocol number of the letter granting permission shall be recorded in the annotations column of the register.

4.3.7 If there is a transfer from another Church of its own right to the Church where baptism is administered, this fact shall likewise be recorded in the annotations column of the register.

### **4.4 Baptism**

#### **4.4.1 Ministers & Candidates**

4.4.1.1 Parents are responsible to see that their infants are baptised as soon as possible following birth, according to legitimate custom (CCEO Can. 686 #1)

- 4.4.1.2 If a person is in danger of death, anyone, whether man, woman, or child, may (and should) baptise in the following manner: The short form for administering the sacrament (in case of emergency) is to say, while pouring the water over the person's head, the following words:  
***“THE SERVANT OF GOD, (NAME), IS BAPTISED IN THE NAME OF THE FATHER, AND OF THE SON, AND OF THE HOLY SPIRIT. AMEN.”***
- 4.4.1.3 When a candidate is in imminent danger of dying, anyone may baptise, but ordinarily a priest or eparch baptises in accordance with the following directives.
- 4.4.1.4 Without prejudice to other prescriptions of law, the child of Ukrainian Catholic parents should be baptised in the Ukrainian Catholic Church by the couple's rightful parish priest/administrator or his proper delegate. Only the local hierarch, and not the parish priest, can grant permission for the child to be baptised in other than his or her own proper Church.
- 4.4.1.5 Only the bishop may receive into the Catholic Church a cleric of a non-Catholic Eastern Church. (CCEO Can. 898 #2).
- 4.4.1.6 The parish priest may receive individual laymen into the Catholic Church (CCEO Can. 898 #3).
- 4.4.1.7 Before the Mystery of Baptism may be administered, the candidate (if an adult), or the parents (if the candidate is an infant or very young child), must participate in the course of catechetical instruction mandated by the Eparch's office. In the case of a child-candidate, the sponsors are strongly urged to participate in the preparation.
- 4.4.1.8 To facilitate this catechetical preparation, parents should notify their parish priest/administrator as soon as possible when they first know that they are expecting a child so that the catechesis can be given in ample time before the baptism.
- 4.4.1.9 After the celebration of baptism, all newly baptised individuals are required to participate in ongoing catechetical formation, in accordance with the tradition of the Church.
- 4.4.1.10 The parent(s) of an infant, as well as the sponsor(s), are required to participate in the follow-up program mandated by the Eparchy.
- 4.4.1.11 Upon reaching the age of moral discretion, all youth shall participate in catechesis in preparation for the Mystery of Reconciliation (confession or penance), and the parents, baptismal sponsors and official witnesses are obligated to participate.
- 4.4.1.12 A priest shall never refuse to baptise a child or an adult in danger of death. Otherwise, with the permission of the Eparch, Baptism may be postponed for sufficient reason, such as a defect of faith or practice in the parents. In the case of parents who are simply lax, the child may be baptised provided the sponsors, or some other family member, gives reasonable assurances that the child will receive proper catechetical formation in the faith.
- 4.4.1.13 If a priest of the Ukrainian Church inadvertently or otherwise baptises a child who rightfully belongs to another Church of its own right, he shall send all the pertinent information to the proper parish priest/administrator as soon as possible. Conversely, if a parish priest/administrator learns that one of his subjects has been baptised by a cleric of another Church of its own right, he shall inquire about the matter immediately and request that the pertinent information be forwarded to him as soon as possible and the details recorded in the baptismal register.

#### 4.4.2 **Sponsors**

- 4.4.2.1 Those being baptised shall have at least one sponsor, preferably of the same gender. The custom of having a second sponsor, of the opposite or of the same gender, may be maintained. The sponsor is qualified for this office if he or she:
- Has received the three sacraments of initiation, i.e., Baptism, Chrismation, Holy Eucharist;
  - Lives a life in harmony with the Catholic faith;
  - Is not under canonical penalty
  - Is so designated by the candidate or the parents;
  - Has the intention to carry out the responsibilities of the office and is mature enough to undertake the responsibility, as the occasion offers, of helping the parents rear the child to profess the Church's Faith, and to show this by living it; and
  - Is not the parent or the spouse of the candidate.
- 4.4.2.2 It is the responsibility of the baptising priest, together with the person giving the instructions for Christian Initiation, to assist parents in selecting qualified and suitable sponsor(s).
- 4.4.2.3 It is permissible to have a non-Catholic of an Eastern Church act as the second sponsor, in conjunction with a Catholic as first sponsor. Practicing members of other ecclesial bodies may act as official witnesses along with a Catholic sponsor.
- 4.4.2.4 Keeping in mind that there must always be at least one Catholic sponsor, it is also permissible to have a baptised non-Catholic (protestant), not as sponsor, but as a "Christian Witness" to the baptism.

#### 4.4.3 **Chrismation with Sacred Myron**

- 4.4.3.1 The Holy Mystery of Chrismation shall be celebrated immediately after baptism proper to every person who enters into the Ukrainian Catholic Church.
- 4.4.3.2 Those entering full communion from the Eastern non-Catholic Churches shall not, as a rule, be reconfirmed with chrism unless there is doubt regarding the validity of the first Chrismation. Those from other ecclesial bodies shall be chrismated with sacred myron as part of their reception into the Church.
- 4.4.3.3 The Eparch shall consecrate the holy myron (chrism) on Holy and Great Thursday and have it sent to the parish priests of his jurisdiction as soon as possible. Upon receiving the new myron, the parish priests shall burn the old supply (and if it was kept in cotton, flush the ashes in the sacrarium or else, mixed with water, pour them on the ground in a place where people do not walk). The vessel in which the chrism was kept shall be wiped clean before the new myron is poured into it. The holy myron shall be placed in an honourable position in a repository (kivot), either on the prothesis or diakonikon. It may be kept in the artophorion (tabernacle) itself but it is not to be left on some remote shelf in the sacristy. The customary offering shall be sent to the eparchial bishop.

### 4.5 **The Holy Eucharist**

#### 4.5.1 **The Eucharistic Fast**

- 4.5.1.1 The People of God, clergy and lay people alike, are permitted to take some food and drink, up to one hour before the reception of Holy Eucharist. Water as well as medicine and vitamins, may be taken anytime. People in precarious health, or in danger of death, may take solid and liquid nourishment and medicine at any time.



People confined to hospital or health care facilities may receive Holy Eucharist at any time, even without fasting.

- 4.5.1.2 A priest who is scheduled to celebrate two or three Divine Liturgies, or other Eucharistic services, on the same day may take some food before the second or third service, even though an hour will have not elapsed between the services.

#### 4.5.2 **The Reception of Holy Eucharist**

- 4.5.2.1 The title, "First Holy Confession and the Solemn Reception of the Holy Eucharist," shall be used in the Eparchy.
- 4.5.2.2 The People of God are urged to participate devoutly in the Divine Liturgy and to receive the Body and Blood of the Lord Jesus Christ.
- 4.5.2.3 The faithful may receive Holy Eucharist at any Eucharistic Liturgy celebrated by any priest of any Catholic Church anywhere.

#### 4.5.3 **Intercommunion**

- 4.5.3.1 The faithful are permitted to receive Holy Eucharist at a Liturgy at which they are occasionally present celebrated by a validly ordained non-Catholic priest of an Eastern Church on condition that this cannot be reasonably construed as a sign of apostasy from the Catholic Church and that this has been permitted by the authorities of the non-Catholic Church.
- 4.5.3.2 When it is not possible to have the ministrations of a Catholic priest, the faithful are urged, especially when in danger of death, to receive Holy Eucharist from any validly ordained presbyter. (In Australia this would mean only from Eastern Orthodox Priests.)

#### 4.5.4 **Obligation**

- 4.5.4.1 Every member of the People of God who has been admitted to the sacraments of penance and the Divine Eucharist is obliged to receive Holy Eucharist at least once a year during the season of Great Fast and Paschaltide, that is, from the Monday which follows the Sunday of Cheesefare to Ascension Thursday, inclusively.

#### 4.5.5 **Infants**

- 4.5.5.1 In accordance with the prescription of CCEO canon 710, and the ancient discipline of the Ukrainian Church, infants and very young children are initiated into the Church by the reception of three sacraments together: baptism, Chrismation (confirmation) and Holy Eucharist.
- 4.5.5.2 However, if a child was not admitted to Holy Eucharist at baptism and has reached the age of reason, the child will be admitted to Holy Eucharist only after having received appropriate instruction. Such children must present a certificate of baptism and Chrismation unless they were received in the Church where they shall be admitted to Holy Eucharist. Children who are members of our Church but have not received Chrismation shall be chrismated before receiving Holy Eucharist. No one may be admitted to Holy Eucharist unless it is certain that he or she has been properly baptised.
- 4.5.5.3 In accordance with the policy to be set by the Eparch, children are to be admitted to the sacrament of penance at a suitable age. This act shall be observed with great solemnity, and is intended to mark a child's growing responsibility for his or her own personal moral life and conduct.
- 4.5.5.4 Infants and young children who have been admitted to Holy Eucharist at Baptism and Chrismation may receive Holy Eucharist at every Divine Liturgy.

- 4.5.5.5 Holy Eucharist may be administered outside the Divine Liturgy to people who did not participate in the Divine Liturgy that day.

## **4.6 Penance (Reconciliation or Confession)**

- 4.6.1 Individual and integral confession with absolution constitutes the ordinary way by which the Christian faithful aware of serious sin are reconciled with God and the Church. Only physical or moral impossibility excuses one from confession in this manner. Any of the faithful, who are conscious of being in a state of serious sin, must seek recourse to the reconciliation of the Church without delay.
- 4.6.2 In each parish there shall be set times, convenient for the people, when the priests shall be available for confession. At other times no priest shall refuse a reasonable request for this sacrament.
- 4.6.3 In accordance with CCEO canon 725, any priest can validly and licitly absolve any penitent in danger of death from any sin. All eparchs may administer this sacrament anywhere. Priests, to act validly otherwise, must be given the faculty to celebrate this sacrament by a special grant of the Eparch, or by appointment to an office that presupposes it. Any priest granted the faculty to celebrate this sacrament may do so everywhere provided a local hierarch in a specific place does not expressly exclude him.
- 4.6.4 By virtue of his office, every parish priest, and the priest who legitimately takes his place, has jurisdiction to celebrate reconciliation.
- 4.6.5 However, in accordance with CCEO canon 728, absolution for the direct violation of the sacramental seal and for the sin of attempting to absolve an accomplice in a sin against chastity is reserved to the Apostolic See, except in the circumstances enumerated in CCEO canon 729. In accordance with CCEO canon 730, absolution of an accomplice in a sin against chastity is invalid, except in instances where the accomplice is in danger of death.
- 4.6.6 During the Great Fast and the Fast of Philip (Advent), in parishes served by only one or two priests, an outside or an additional confessor shall be made available for the faithful. The visit of such a confessor shall be announced in advance.
- 4.6.7 The policies of the Eparch shall be followed with regard to the introduction of children to this most important sacrament, an age and in circumstances he shall determine best. When parents estimate that their children are sufficiently endowed with the power of moral decision and reasoning as to make the sacrament fruitful, they should present them for reconciliation. In every case, children are to be prepared for this sacrament with suitable catechetical instruction.
- 4.6.8 As a sacrament, the rite of confession is worthy of dignity and piety in its celebration. The priest should vest in rason and epitachelion to administer it, especially when it is celebrated at a scheduled time and in the church. When a priest is approached spontaneously for this ministry he should conduct it with as much dignity and decorum as possible.
- 4.6.9 The space in which confessions are heard should be private and sound-proof, suitable for this sacrament. If this mystery is celebrated in the open air on the occasion of pilgrimage, etc., or before an icon in the church, etc., care must be taken that no one is within earshot of the priest and the penitent. The secrecy and confidentiality of this sacrament must be preserved above all other considerations, and only the Apostolic See administers forgiveness for a deliberate violation of it. This requirement binds the priest, an interpreter (if one were deemed necessary) and anyone to whom knowledge of the sins from confession comes in any way, even by accident.

4.6.10 In accordance with CCEO canon 734, a confessor is absolutely prohibited to use the knowledge gained in confession when it might harm the penitent, even if every danger of revelation is excluded.

#### 4.6.11 **Penitential Fasting**

4.6.11.1 As each Christian is called to ongoing repentance and amendment of life, the ancient practice of fasting should be maintained. All persons from 14 to 59 years of age, inclusively, must abstain from meat, as follows:

- Every Friday, except on those days designated as being free of the fast.
- On Holy Saturday and each and every Friday of Lent (the Great Fast), as well as Christmas Eve, January 6<sup>th</sup> and Thophany Eve, January 18<sup>th</sup>.

4.6.11.2 Consumption of all dairy food (including milk eggs, cheese, etc.) is not allowed on the first day of the Great Fast (the Monday which follows Cheesefare Sunday) and on Holy and Great Friday. Pregnant and nursing mothers the ill and infirm, those who work hard at physical labour and the very poor are excused.

4.6.11.3 The Eparch may give dispensation to all the faithful of the Eparchy as well as to any individuals for a good reason from any of these fasting prescriptions. A parish priest/administrator may also give dispensation to individual parishioners for a good reason. He cannot, however, dispense the entire parish.

4.6.11.4 In families in which the parents are enrolled in different Churches, it is permitted to observe the norms of one or the other Church, in regard to feast days and days of penance (CCEO Can. 883 #2).

## 4.7 **Marriage**

### 4.7.1 **Pastoral Care of the Faithful**

4.7.1.1 Parish priests and parish teams, when prepared with instruction, shall instruct their parishioners on the sacrament of matrimony and on all the moral and legal requirements for a valid, lawful, and successful marriage:

- By preaching and teachings adapted to youths and adults concerning the meaning of Christian marriage and the obligations of spouses to each other. (This shall include the primary right and obligation which parents have of doing all in their power to see to the physical, religious, moral, social, and cultural upbringing of their children).
- By personal preparation of the couple preparing for the married state.
- By providing assistance to the couple so they may come to lead a holy and spiritually fulfilled life, daily in their families.
- If a Catholic marries a non-Catholic or a non-Christian, it is the duty of the parish priest/administrator to insure these marriages are given support to become firm in the sacramental, spiritual and social life of the parish.
- When a couple approaches a priest to be married and one party is still in a valid marriage, the priest should counsel and instruct the parties to wait until a decree of nullity for that preceding marriage has been granted by the proper marriage tribunal.

### 4.7.2 **Prenuptial Investigation**

4.7.2.1 Before setting a definitive date for the celebration of marriage, all those intending to contract marriage should notify their parish priest/administrator of their intention to marry at least six months before the marriage is scheduled to take place.

### 4.7.3 **Prenuptial Instructions**

4.7.3.1 Before the wedding is celebrated instructions shall be given to the parties. The priest, himself may give these or he may refer the parties to Engaged Encounter, or any Church approved marriage preparation course.

4.7.3.2 Such instruction must include a proper explanation of the essential ends of marriage- namely, the mutual benefit of the couple and the procreation of children. It must also include

- an explanation of the Church's theology of marriage and the basic difference between the Byzantine and Latin approach;
- The baptism and education of children in the Catholic Church;
- A lucid and positive explanation of the Church's teaching on birth control and the alternative methods sanctioned by the Church;
- Ample information and contact addresses etc. of natural family planning agencies

4.7.3.3 For a just reason the local bishop may grant permission for a mixed marriage, i.e. between two baptised persons, one of whom is Ukrainian Catholic and the other who is non-Catholic only if the conditions of CCEO Canon 314 are duly respected. Prenuptial instructions for mixed marriages are equally important. In addition to the usual content of such instruction the priest is obliged to point out to the non-Catholic party the obligation which the Catholic party has in doing everything possible to have the children of the marriage baptised and educated in the Catholic Church. In addition, both parties are to be instructed as to the proper ends and properties of marriage. Prenuptial enquiries must attest to this fact and the signature of both parties demonstrates that they understand and agree to the requirements of Church law. (CCEO Can. 815)

### 4.7.4 **Proof of Baptism**

4.7.4.1 In preparation for marriage the fact of baptism shall be proved according to the following principles:

- Unless the baptism is recorded in the baptismal register of the parish where the pre-nuptial investigation is to be conducted, Catholics must produce a certificate of baptism not older than six months, since an annotation on the certificate as copied from the baptismal register has some bearing on the free status of the person in question;
- Non-Catholics who claim to have been baptised, must provide a baptismal document or statement providing proof;
- If no record can be found to verify a person's baptism, a sworn statement by someone who witnessed the event or has knowledge of the baptism can be used. The statement must include the name of the person who was baptised, the name of the person who performed the baptism, the date and location where it was performed and the manner how this knowledge came to be known by the witness.

### 4.7.5 **Proof of Chrismation**

4.7.5.1 Care should be taken to see that the Catholic parties preparing for marriage receive, if they have not done so already, the sacrament of Chrismation before the marriage takes place.

4.7.5.2 If they have been Chrismated already, Ukrainian Catholics who were baptised in another Church shall be confirmed prior to the marriage.

- 4.7.5.3 Catholics of other Churches should be counselled to receive the sacrament of Chrismation as soon as possible.
- 4.7.5.4 If a party does not have a certificate of Chrismation it is not requirement to demand written proof of the reception of this sacrament. A simple statement by the party that he/she had received the sacrament of Chrismation is acceptable for evidence.
- 4.7.5.5 Non-Catholics may have received Chrismation according to their Church's laws and customs. No proof or evidence is needed and the priest doing the investigation need not be concerned with this.

#### 4.7.6 **Reception of Eucharist**

- 4.7.6.1 If both parties to the marriage are Catholic, the priest blessing the marriage shall encourage them to receive the sacraments of reconciliation and the Eucharist.

#### 4.7.7 **Ceremony**

- 4.7.7.1 The Divine Liturgy should be celebrated along with the blessing of the marriage when possible.
- 4.7.7.2 The rites, ceremonies and prayers contained in the Trebnyk (Book of Needs) must be observed in all marriage ceremonies. The marriage ceremony replaces the enarxis of the Liturgy.
- 4.7.7.3 No one may be refused marriage if no offering can be made or if the parties are unable to afford the fees for dispensation or permission.
- 4.7.7.4 Lay persons who live in the married state in accordance with their own vocation are bound by a special duty to work for the building up of the people of God through their marriage and their family. (CCEO Can. 407)

#### 4.7.8 **When Marriages Fail**

- 4.7.8.1 When marriages show signs of failure, every effort should be made to urge the couples to receive counselling.
- 4.7.8.2 Where there is clearly no prospect of reconciliation, couples have a right to apply for a declaration of nullity concerning their marriage. To be granted an annulment, proof is required to show that the marriage was invalid at the time the couple entered it.
- 4.7.8.3 Members of the Ukrainian Church seeking such a declaration of nullity are to approach the Latin Church Tribunals where their case will be judged on behalf of the Ukrainian Church according to the laws on marriage applying to the Eastern Churches.

### 4.8 **The Sacrament of Anointing and Care of the Sick**

- 4.8.1 In that the holy mystery of anointing the sick affords spiritual strengthening and even sometimes physical healing to those who receive it, members of the family of an individual who has become seriously sick or debilitated should summon the priest for the administration of this sacrament along with the rites of confession and Holy Eucharist. If the sick person is in danger of imminent death, this duty is obligatory.
- 4.8.2 Parish priests should not wait until they have been summoned to visit or administer these rites; they should approach the ill as soon as they learn of their condition. Parish priests should attend immediately to those grievously ill, while those less in danger should be tended to as soon as possible.

- 4.8.3 While it is not primarily the parish priest's duty to inform a seriously ill person that he or she is dying, a priest must not hide the fact from a false sense of compassion. Importantly, the parish priest must provide the sick person every opportunity to be at peace with God.
- 4.8.4 If a sick person is absolved conditionally because the illness precludes speech, the priest shall return as soon as the penitent has regained his faculty to speak in order to hear his or her confession in the proper manner.
- 4.8.5 If a priest is called to administer the sacraments of the anointing of the sick, Holy Eucharist or confession to someone in danger of death, but who is not his parishioner, he shall celebrate these mysteries and then notify the proper parish priest/administrator immediately.
- 4.8.6 When circumstances allow, a communal celebration of the anointing of the sick may be held in which the chronically ill who can be present to avail themselves of this mystery of grace. The proper subject of this sacrament is one who is in danger (but not necessarily in the throes) of death from any cause, including a chronic disease of a vital organ or simply old age. Individuals with chronic conditions may be anointed for ailing health once a month. If the condition worsens, the sacrament should be administered immediately, even if a month has not elapsed.
- 4.8.7 On Holy Wednesday, on special occasions and during pilgrimages, this service may be administered to the faithful in general.
- 4.8.8 A list of the sick shall be maintained in every parish for quick and easy reference. A special kit for the priests to administer the sacrament shall be maintained. At all times, this kit shall contain a pyx for transporting the Blessed Eucharist, a spoon, a vial for wine and a small chalice. The kit shall also contain a vial of oil for the sacrament of the sick, cotton, a container of holy water, an epitachelion, hand cross, lention and eliton ("purificator and corporal") and a book of rites, scriptures and prayers appropriate for the sick and dying.
- 4.8.9 In larger parishes where there is more than one priest or Eucharist minister, several kits shall be made available. Those for the Eucharistic minister need not contain oil, cotton, epitachelion, hand cross and such items which are used only by a presbyter.
- 4.8.10 Each parish shall maintain a register where a record is kept of all ministrations to the ill, and the celebration of the anointing of the sick.
- 4.8.11 A priest should not act as a witness to any legal act being performed during the broad course of his ministrations. Indeed, he should not act in such a capacity for anyone in his pastoral care at any time. He should not give his opinion on the disposition of temporal goods to anyone for whom he is providing pastoral care during illness.
- 4.8.12 Charity and kindness should be the policy at times of sorrow in the life of the faithful. Liturgical funerals shall be accorded to all not otherwise barred by law. The Rite of Christian Burial should be celebrated together with Holy Liturgy. A homily should be preached.
- 4.8.13 The priest or deacon should endeavour to visit the bereaving family prior to the funeral.
- 4.8.14 From time to time, parish priests should instruct the faithful on the teachings of the Church in regard to the burial of the dead. Through ecclesiastical funeral rites the Church asks spiritual assistance for the departed, honours their bodies, and, at the same time, brings the solace of hope to the living. The Church earnestly recommends that the pious custom of burying the bodies of the dead be observed. It does not forbid cremation unless it has been chosen for reasons that are contrary to Christian teaching.

- 4.8.15 According to CCEO canon 876.3 those who choose cremation for their bodies, unless such a choice was made for reasons contrary to the conduct of Christian life, are to be granted an ecclesiastical funeral, provided that it does not obscure the preference of the Church for the burial or entombment of bodies and that scandal is avoided. The policy or procedure of the Eparchy is the following:
- When someone makes a request for cremation, the parish priest/administrator should prudently ascertain that this was done without contempt for Catholic doctrine, in which case cremation is permitted.
  - The following practice must be put in place for an ecclesiastical funeral:
    - The parastas service (at the funeral home or other house) is to be celebrated in the presence of the body prior to cremation. Parastas panachyda may not be celebrated over ashes, for the liturgical sign loses its effectiveness.
    - If the cremation is to take place after all funeral rites (including the reception of the body into the Church), there is no restriction. However, should someone insist on cremation so that it takes place for any reason prior to the completion of the funeral rites, the ashes are not to be brought into the church under any circumstances. The services may and should be celebrated without the ashes in church.
    - It is the preference of the Church that the ashes not be scattered but should be interred in consecrated ground, entombed or reserved appropriately.

## **4.9 The Eucharist as Food for the Dying and the Comfort of the Sick**

- 4.9.1 Priests assigned to parishes are obliged to administer Holy Eucharist and the other sacraments to parishioners who have been admitted to hospitals and such institutions within the boundary of their parish and beyond it as well. If the institution is situated in another parish and it is too far for the proper parish priest/administrator to go, a local parish priest/administrator of the Church is obliged to administer the sacraments when summoned.
- 4.9.2 Priests are obliged to visit and to minister to parishioners who have been confined in hospitals, nursing homes and similar institutions and to those outside the imminent danger of death.
- 4.9.3 Priests of the parish may not routinely entrust the duty of administering the sacraments to their sick parishioners to a priest or other minister of another Catholic Church, except in case of urgency, distance or absence of the local priest.
- 4.9.4 Holy Eucharist shall be taken at least once a month to those who cannot come to church, to the bedfast and to those confined in their homes. It is a serious duty of all priests of the parish to offer their services to such faithful.
- 4.9.5 When the number of people who wish to receive Holy Eucharist in their homes is greater than can be accommodated by the priests and deacons of the parish, sisters and lay people of both genders may be appointed, through prior approval of the bishop, to administer the sacrament to these faithful.
- 4.9.6 Sick and infirm people may receive Holy Eucharist more often, and even daily, with the help of a member of the household who is present at the Divine Liturgy in church. After suitable instruction, this member of the household may receive a Particle of the Holy Gifts at or following the Divine Liturgy in a suitable container

and carry it to the sick person. The names of those carrying to the sick shall be submitted to the chancery.

4.9.7 Every parish ought to organise an apostolate of men and women for the purpose of visiting members of the parish community who are confined in hospitals and other similar institutions, as well as those homebound or bedridden.

4.9.8 When Holy Eucharist is brought to the sick at home, other members of the family and those in attendance may receive the Eucharist at the same time.

## **4.10 Divine Liturgy**

4.10.1 Priests are encouraged to celebrate the Eucharist daily (CCEO Can.378).

4.10.2 The number of Eucharistic Liturgies celebrated daily in a church or chapel shall depend on the need of the faithful or the community and not on the number of priests available. Whenever several priests intend to serve the Divine Liturgy at approximately the same time, they shall concelebrate. In the case of a funeral or a wedding, one other Liturgy may be celebrated in addition to the one for the community. It is forbidden to celebrate more than one Divine Liturgy at the same time in the same space (church, crypt, etc.) at different altars.

4.10.3 Unless the number of languages which must be utilised in the service or the sermon demands it, only as many Liturgies shall be scheduled on any Sunday or Holy Day in one place as the number of the faithful requires.

4.10.4 The priest who has received from the Eparchy a pastoral assignment thereby receives permission to officiate for a second Divine Liturgy. To officiate for a third Divine Liturgy on the same day the special permission of the Eparchy is needed. This permission may be presumed in individual instances, but can be granted permanently only in exceptional circumstances.

4.10.5 The faithful are to be informed in advance by appropriate public announcement of the day and time of each and every Divine Liturgy which the parish priest/administrator is obligated to offer "for the people and their intentions" as well as for those services for which he has accepted a stipend and which he has agreed to celebrate on a specific day.

### **4.10.6 Holy Days of Obligation**

4.10.6.1 In addition to every Sunday of the year, the faithful are to participate at Divine Liturgy on the following Holy Days of obligation:

- The Birth of Our Lord and Saviour Jesus Christ (Christmas)
- The Baptism of Christ in the Jordan
- Easter
- Annunciation of the Mother of God
- Ascension of our Lord
- Dormition of the Mother of God (Assumption)
- The Feast of the Holy Apostles Ss. Peter and Paul.

4.10.6.2 The Eparchy also encourages the faithful to take part in Divine Liturgies on the following Feast Days:

- The Feast of the Circumcision of Christ (New Year's Day)
- The Feast of the 134 Martyrs of Pretulin (January 23<sup>rd</sup>)
- The Feast of the Transfiguration of Christ
- The Feast of the Exultation of the Holy Cross
- The Beheading of John the Baptist



- The Feast of Saint Joseph
- The Feast Day of the Patron Saint of the Parish Church

#### 4.10.7 **Divine Liturgy for Special Intentions**

4.10.7.1 The Parish Priest is required to celebrate Divine Liturgy regularly for the people of the Parish entrusted to him and also bound to celebrate it for them on all holy days of obligation.

4.10.7.2 In every parish one Divine Liturgy shall be offered annually for the repose of the priests who were assigned to serve the People of God there. The parishioners shall be informed of the date and time of the service, as well as the names of the departed priests and eparchs for whom the service will be offered. It is permissible to celebrate a binated Liturgy for this purpose.

#### 4.10.8 **Concelebration**

4.10.8.1 Priests are permitted to concelebrate in other Liturgies, in addition to the one they serve, for the purpose of enhancing the solemnity of the day or the occasion. The rules governing bination stipends still apply.

#### 4.10.9 **Religious and Parish Liturgy**

4.10.9.1 It is preferred that small Religious communities, or small groups of the faithful, take part in the Divine Liturgy of the parish on Sundays and Holy Days rather than in their own separate celebration and, thus, unite themselves more closely with the whole People of God.

#### 4.10.10 **Evening Celebration**

4.10.10.1 In as much as the liturgical day in the Ukrainian Catholic tradition usually begins at sundown, the Divine Liturgy of Sunday and festival holy days, as well as for other days named by the Eparch, may be celebrated from the previous evening (but not before 6 o'clock in the afternoon) and throughout the day itself.

4.10.10.2 If the Divine Liturgy is celebrated in the evening, it may be celebrated with vespers. In this case, the order of vespers is followed until the prokimen, when the order of the Divine Liturgy commences with the readings.

#### 4.10.11 **Place of Divine Liturgy Celebration**

4.10.11.1 Ordinarily, the Eucharist should be celebrated in a church or approved chapel.

4.10.11.2 For a suitable reason and with the permission of the Eparch, a priest may celebrate the Eucharist in a church or building of a non-Catholic ecclesial community.

4.10.11.3 For the public celebration of the Eucharist in places outside the church building the priest must obtain the prior permission of the Eparch. This permission may be presumed when the number of the faithful who desire to take part in the service is too large for the church building.

#### 4.10.12 **Preservation of Authentic Liturgical Practice in the Eucharist**

4.10.12.1 Pastoral ministers shall teach altar servers and practise with them the rites and responses of the Divine Liturgy and other services. Such servers, adults if this is feasible, shall vest in the sticharion in accordance with the original tradition of the Church. The sticharion is cut and fashioned differently for different ministers. It may be cut more fully for deacons and other ministers, including servers. The sticharion shall reach to the ankles, and its sleeves shall reach to the wrists.

Cassocks, as well as the vestments of altar servers of other liturgical traditions, shall not be allowed.

- 4.10.12.2 Any faithful who is instructed and trained for the ministry may be assigned prominent auxiliary roles such as reading the Epistle in the divine services, in conformity with the instruction of the Eparch.
- 4.10.12.3 During the divine services, all ministers of the altar shall use the vestments, vessels and instruments which correspond to authentic tradition.
- 4.10.12.4 The usual vestment of an Eparch is the sakkos (although he may replace it with the phelonion), over which he wears an omophorion. He wears all the other vestments of a presbyter, and the mitre.
- 4.10.12.5 The priest shall wear all parts of the vestments prescribed by the liturgical books, including the epimanikia (cuffs) and the zone (belt). There is no obligation to wear the cassock under the sticharion, although this is encouraged.
- 4.10.12.6 The deacon shall wear a sticharion-dalmatyka with simple decoration. It shall reach to the ankles and its sleeves to the wrists. The cassock is not obligatory, and the use of an alb under the sticharion is forbidden. The deacon shall also wear a deacon's orarion folded as customary.
- 4.10.12.7 The subdeacon, whether an ordained cleric or a layman, shall wear a simple sticharion-dalmatyka similar to that of the deacon, and an orarion without any crosses or inscriptions, folded in the usual manner. An ordained subdeacon receives Holy Eucharist outside the sanctuary at the solea.
- 4.10.12.8 The sacred vessels used in the Divine Liturgy shall comply with the form used in the Byzantine tradition. The chalice shall be shaped in such a way that the particles of the Holy Eucharist can be removed easily with a spoon. The diskos shall be sufficiently wide and high with a base, with its edges turned up, so that it can be carried in the hand in the same manner as the chalice. The sacred vessels shall be covered with three veils: one for the diskos, one for the chalice and one larger veil, the aer, which must cover both together.

#### 4.10.13 **Celebration by Other Priests**

- 4.10.13.1 Even though validly ordained, a non-Catholic priest may not be permitted to take part in the Divine Liturgy, and may not even be present at the altar vested in his liturgical garb. However, he may be present within the sanctuary in his clerical garb.
- 4.10.13.2 With respect to the celebration of the Divine Liturgy in parish churches, shrines, chapels of convents, seminaries or other buildings or institutions by a priest who does not belong to the Eparchy or to a Religious house in the eparchy, the following rules shall apply:
- Parish priests and rectors of churches may permit a priest known to them, but who is not assigned to their church to celebrate in their church or chapel if they are morally certain that such a priest is in good standing with his ecclesiastical superior.
  - The parish priest/administrator or rector shall demand from a priest unknown to him proper identification, such as a celebret or some document of appointment, prepared in accordance with accepted examples of official form, which may not be more than one-year old.
  - A priest unknown to the parish priest or administrator, and who cannot identify himself with proper documents, may not be permitted to celebrate Divine services.
  - Priests from other Eparchies must always obtain permission to preach in the Eparchy directly from the Eparch.

#### 4.10.14 **Form for Administration of the Holy Eucharist**

- 4.10.14.1 Holy Eucharist is usually distributed under the form of leavened wheat bread and true grape wine.
- 4.10.14.2 The custom of distributing Holy Eucharist to the faithful by means of a spoon shall be maintained unless, because of danger from a contagious disease, the Eparch permits that the bread be suitably cut and then dipped by the priest with his fingers into the cup and placed directly into the mouth of the communicant.
- 4.10.14.3 People of any age or condition who for any reason are unable to receive the Eucharist in the customary form may receive it in the form of Wine alone. Similarly for sufficient reason the Eucharist may be imparted in the form of Bread alone.
- 4.10.14.4 The wheat bread for the celebration of the Divine Liturgy should be freshly baked. If it is to be preserved by refrigeration, especially by freezing, it shall be soft and pliant and, thereby, easy to eat and swallow. For the reserved Sacrament, the consecrated Particles must be dried.
- 4.10.14.5 Holy Eucharist should be received standing at the solea. The communicants shall approach the minister one after the other.

#### 4.10.15 **Ministers of the Holy Eucharist**

- 4.10.15.1 In accordance with tradition, the Eparch and priest are the usual ministers of the Holy Eucharist. Properly instructed "Eucharist ministers," which includes deacons, Religious and any laity, may distribute Holy Eucharist.
- 4.10.15.2 In unforeseen circumstances, when the proper minister, for any reason, is unable to distribute Holy Eucharist, delegation should be given to another person to administer the Sacrament.
- 4.10.15.3 The Eparch may delegate lay people to distribute Holy Eucharist on a continuous basis on condition that:
- The number of communicants at the specific service is large and therefore would unduly prolong the service;
  - The priest is unable to attend to this himself because of infirmity;
  - Such lay people are approved individually in advance by the Eparch.

#### 4.10.16 **The Liturgy of Presanctified Gifts**

- 4.10.16.1 The celebration of the Liturgy of Presanctified Gifts, for which an intention may be made and a stipend accepted, shall be regulated by the following norms:
- It may be celebrated on any weekday of the Great Fast, but shall be celebrated in every church with a resident priest at least on Wednesdays and Fridays, as well as on the first three days of the Holy and Great Week.
  - The obligation binds all the priests of a given parish as a body, in accordance with the assignment made by the parish priest. It is forbidden to schedule other services which would render the celebration of the Liturgy of Presanctified Gifts impossible.
  - The Eparch may dispense priests from this obligation in instances when it is alleged that a liturgy of Presanctified Gifts cannot be observed.
  - On other week days of the Great Fast, the Divine Liturgy of Our Father Among the Saints John Chrysostom or the Typica (Obitnitsya) with the distribution of Holy Eucharist may be celebrated.

#### 4.10.17 **Reservation of the Holy Eucharist**

- 4.10.17.1 The Eucharist is reserved in the form of bread in the artophorion (tabernacle) primarily for the administration to the sick and especially as viaticum for the dying.
- 4.10.17.2 The Holy Eucharist is reserved in the form of bread either in the artophorion placed in the centre of the Holy Table, or else in a pyx shaped like a dove and suspended over the Holy Table, or in a kivot set on the prothesis, or in some other traditional and suitable way. It shall not be reserved at a "side altar" or in the body of the church.
- 4.10.17.3 Only in case of manifest necessity shall the Eucharist be reserved in the sacristy.
- 4.10.17.4 If the artophorion is set in the centre of the Holy Table, it must have the traditional form and shall be of such height and design as not to obstruct the visual field between the congregation and the clergy at their seats behind the Holy Table.
- 4.10.17.5 The consecrated Bread must be dry, and not exposed to humidity mildew or mould. It shall be inspected at least every two weeks and changed monthly. It must be changed on Holy Thursday of each year without fail. The parish priest/administrator shall ensure that this is carried out.

## **SECTION FIVE:**

### **5. LAY PEOPLE IN THE EPARCHY**

#### **5.1 The Christian Faithful**

- 5.1.1 The Christian Faithful are those who, incorporated in Christ through baptism, have been constituted as the people of God. Since they have become sharers in Christ's priestly, prophetic and royal function in their own manner; they are called, in accordance with the condition proper to each, to exercise the mission which God has entrusted to the Church to fulfill in the world. This Church, constituted and organised as a society in this world, subsists in the Catholic Church, governed by the successor of Peter and the bishops in communion with him. (CCEO Can. 7)
- 5.1.2 As sharers in the priestly dignity of Christ, lay people are called to use all the means Christ has provided through his Church so that they will achieve the sanctity that leads to eternal life.
- 5.1.3 As sharers in the prophetic dignity of Christ, lay people are called to learn about their faith and to teach others by the way they witness to Christ in their lives.
- 5.1.4 As sharers in the royal dignity of Christ, lay people should put themselves at the service of others in the spirit of Christ who came not to be served but to serve.

#### **5.2 Lay People in General**

- 5.2.1 With due reference to the rights and obligations of the Christian Faithful enumerated in CCEO canons 7-26, lay people are encouraged to elicit from their ministers the fulfillment of those rights, especially regarding the ministration of the Divine Mysteries, Christian education/formation and suitable homilies.
- 5.2.2 The laity in the Eparchy are those baptised who are in full communion with the Catholic Church, and joined with Christ in its visible structure by the bonds of profession of faith, of the sacraments and of ecclesiastical governance. (CCEO Can. 8)
- 5.2.3 The name of "lay persons" is applied to the Christian faithful whose proper and special state is secular and who, living in the world, participate in the mission of the Church, and are not in holy orders nor enrolled in the religious state. (CCEO Can. 399)
- 5.2.4 The vocation of lay persons is to carry out and to arrange temporal affairs according to God's plan, to seek the Kingdom of God and thus in, their private, family, and politico-social lives to be witnesses for Christ and to manifest Him to others; also, shining in faith, hope and charity, to strive for just laws in society, and to be like leaven for the sanctification of the world. (CCEO Can. 401)
- 5.2.5 Lay Christian faithful should 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; they should, however, avoid proposing their own opinion as to the teaching of the Church in questions which are open to various opinions. (CCEO Can. 402)

#### **5.3 Participation in Liturgical Celebrations**

- 5.3.1 With due regard for the right and obligation to preserve everywhere their own rite, lay persons have the right to participate actively in the liturgical celebrations of any

Catholic Church whatsoever, according to the norms of the liturgical books. (CCEO Can. 403 -§ 1.)

- 5.3.2 If the necessity of the Church and genuine advantage so recommend, and when sacred ministers are lacking, certain functions of the sacred ministers may be committed to lay persons, according to the norms of law. (CCEO Can. 403 -§ 2)  
The participation of women should be encouraged and continually applied.

## **5.4 Knowledge of the Faith and Capacity to Teach**

- 5.4.1 In addition to catechetical instruction, which should be received from infancy, lay persons have the right and obligation of acquiring a knowledge, suitable to their capacity and condition, of the doctrine revealed by Christ and taught by the authentic teachers of the Church, so that they may be able not only to live according to that doctrine, but also to announce it, and, if need be, to defend it. (CCEO Can. 404 - §1.)
- 5.4.2 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 science by attending classes and obtaining academic degrees. (CCEO Can. 404 - §2)
- 5.4.3 Likewise, the prescriptions as to the required suitability having been observed, lay persons are qualified to receive a mandate to teach the sacred sciences from competent ecclesiastical authority. (CCEO Can. 404 - §3)
- 5.4.4 Lay persons should study zealously their liturgical, spiritual, theological and disciplinary patrimony, so that mutual goodwill, esteem and unity of action between the lay members of different Churches is fostered, and so that the variety of rites does not harm the common good of the society in which they live, but rather may daily lead more to the same good. (CCEO Can. 405)

## **5.5 Ministry of the Word**

### **5.5.1 Evangelisation**

- 5.5.1.1 All of the Christian Faithful have the obligation to evangelise. They do this by:
- the witness of a profoundly Gospel way of life;
  - bringing the Word of the Gospel to those whom they encounter, and
  - participating in formal or specialised forms of evangelisation according to each one's situation under the direction of competent ecclesiastical authority.
- 5.5.1.2 In the work of evangelisation, attention should be given to evangelising:
- the active Catholics of the Eparchy;
  - the unchurched and those who have lapsed or have fallen away from the practice of their faith; and,
  - those in missionary areas in the country and abroad.
- 5.5.1.3 Schools and catechetical programs shall incorporate evangelisation in their instructional materials.

## **5.6 Religious Instruction**

- 5.6.1 In the Eparchy there shall be a Director of Religious Education and a Catechetical Committee appointed by the Eparch.

- 5.6.2 It is the responsibility of this group to prepare, implement and supervise programs of Christian education i.e. Lector Training Program. These programs should cover all areas and levels of Christian life, from the young child to the aged and those with special needs.
- 5.6.3 Programs should be:
- **Formational:** while imparting information, the programs will focus on forming mature Christians who can witness to their faith in every aspect of their lives;
  - **Developmental:** seeking to allow for a faith development which is based on recognised ability patterns and response patterns for each level, thereby providing for continual growth;
  - **Eastern Christian:** expressing the Christian faith that is founded first and foremost on the relationship with Jesus Christ, according to the traditions of the Ukrainian Church.
- 5.6.4 Special attention should be given to the proper training of adult catechists in each parish of the Eparchy. In every parish there shall be a sufficient number of catechists who have undergone formation and who willingly cooperate with the parish priest/administrator in helping with the religious education of the faithful, especially the education of the young.
- 5.6.5 Instruction must be given on the observances of the Ukrainian Church, training the faithful (especially the youth and young adults) to participate actively in the celebration of the Divine Liturgy and other liturgical services.
- 5.6.6 Parish priests are urged to arrange adult discussion clubs and inquiry classes in their parishes. These shall be open, not only to the members of the parish, but also interested non-parishioners.
- 5.6.7 The faithful should be instructed to look for the proper ecclesiastical approval, normally printed on the first pages of a book dealing with religion and morality, in all such published materials which they intend to purchase, to read, or, especially, from which to teach.
- 5.6.8 It is the primary and grave responsibility of parents to ensure the proper training and nurturing of the faith of their children. Parents must provide a home situation inspired by love and devotion to God and neighbour. The home is the first school of faith for children; without a Christian home environment, religious education programs may have little effect.

## **5.6A Eparchy Educational Institutions**

- 5.6A.1 The Eparchy strictly complies with the requirements of the Relevant Law in respect to operating a school.
- 5.6A.2 The Eparchy strictly complies with the requirements of the Relevant Law in respect to running any early learning facilities.
- 5.6A.3 Each early learning facility within the Eparchy shall ensure that a suitably qualified person be appointed to be responsible for compliance within the applicable requirements of the Relevant law.
- 5.6A.4 The Eparchy will make contracts with the early learning facilities within the Eparchy on arm's length basis in accordance with the Relevant Law. In particular, the Eparchy will require that each early learning facility has necessary insurance in place and the Eparchy will be indemnified for any loss caused in connection with the early learning facility.

- 5.6A.5 In respect to existing arrangements between the Eparchy and the provider of the early learning facilities as at the date of these amendments, the Eparchy will act with transparency in any negotiations and elect to either extinguish current arrangements in writing or contract with the provider of the early learning facilities on the principles outlined in clause 5.6A.4.

## **5.7 A Call to be Missionaries**

- 5.7.1 Lay persons, aware of the fact that all the Christian faithful have the right and obligation of working so that the divine message of salvation may increasingly reach all peoples in every age and in every land, should know that this obligation has a greater impelling force in those circumstances in which people can hear the Gospel and know Christ only through them. (CCEO Can. 406)
- 5.7.2 Retreats for the lay people should be strongly encouraged, and the clergy shall endeavour to promote the participation of their parishioners in such retreats.
- 5.7.3 The lay people should be given proper roles in the administration and functioning of the church as their particular talents warrant.

## **5.8 Catholic Lay Organisations**

- 5.8.1 Although the faithful are free to associate and form associations, no cleric, nor any ecclesiastical institution, may establish a society of a religious nature, or allow such a society to be established as a unit or affiliate of the parish or ecclesiastical institution, unless the consent of the Eparch has been obtained. This consent of the Eparch is presumed when a Religious Institute is accepted into the Eparchy and promotes an association that is part of its work as a Religious institute.
- 5.8.2 The parish priest/administrator and other parochial ministers are not only to observe and oversee the Catholic organisations affiliated with the parish, but also to take an active part in them and to foster the growth and development of those organisations.
- 5.8.3 In accordance with CCEO canon 620, associations and movements and groups of the Christian Faithful, which pursue the practice of piety or direct the apostolate or charitable works and assistance shall ensure the religious formation of their members under the guidance of the local Eparch. Parish priests shall provide this guidance for groups in their parish; all other spiritual directors shall be appointed by the Eparch following consultation with the parish priest.
- 5.8.4 No organisation will be given official status within the Eparchy unless it includes within its ruling body a cleric or consecrated Religious person who shall serve as the spiritual director.
- The spiritual director shall be appointed by the Eparch of that Eparchy, and not by election of the members.
  - The spiritual director shall comment on the spiritual impact of all proposals in any meetings of the whole body, as well as of its executive committee or board of officers.
- 5.8.5 All books, documents, and files of the organisation shall be made available to the spiritual director at all times.
- The association should have competent people to audit the financial books.
  - The spiritual director shall review the books and files of the organisation at least once every two years, but preferably once a year.
- 5.8.6 The statutes, by-laws and other pertinent documents of the association must be approved by the Eparch and kept on file in the chancery.



- 5.8.7 Only Catholics who strive to live an exemplary life may serve as the officers of these organisations.
- 5.8.8 The formal dissolution of these organisations may be undertaken by the local Eparch alone.
- 5.8.9 Catholics are forbidden to join organisations that contradict the teachings of the Catholic Church and/or work against the Church.

## **5.9 Church Workers and Advisors**

- 5.9.1 The Church should use, where necessary, lay persons who excel in the necessary knowledge, experience and integrity. They should be heard as experts or advisors by ecclesiastical authorities, whether individually or as members of various councils and assemblies, whether parochial or eparchial. (CCEO Can. 408 - §1)
- 5.9.2 Besides those ecclesiastical functions to which lay persons are by common law admitted, they may be also admitted by a competent authority to other functions, excepting those which require holy orders or which are expressly forbidden to lay persons by the particular law of their own Church. (CCEO Can. 408 - §2)
- 5.9.3 Lay persons are fully subject to ecclesiastical authority in respect to the exercise of ecclesiastical functions. (CCEO Can. 408 - §3)
- 5.9.4 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. (CCEO Can. 409 - §1)
- 5.9.5 Lay persons 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 own and their family's pension, social security and health benefits be duly provided. (CCEO Can. 409 - §2)

## **5.10 Parish Membership**

### **5.10.1 Membership and Enrolment**

- 5.10.1.1 Membership in the Church is acquired by baptised persons who are joined with Christ through the bonds of profession of faith, the sacraments and ecclesiastical governance. (CCEO Cann. 7-8) We believe the same truths, share the same sacraments and are governed by an Eparch and priests united with the successor of St. Peter, the Holy Father.
- 5.10.1.2 The parish is a definite community of the Christian faithful established on a stable basis in the Eparchy, whose pastoral care is entrusted to a parish priest (CCEO Can. 279).
- 5.10.1.3 The Church possesses the right of caring for its faithful; and this entails the acquiring of and the maintenance of parish buildings and temporal goods, which facilitate the functioning of the local Christian community. (CCEO Can. 1007)
- 5.10.1.4 Interests of the vulnerable members of the Eparchy, such as children and the elderly, are paramount. All Clergy, Religious, volunteers and employees of the Eparchy shall strictly comply with the requirements of the Relevant Law applicable in each particular State or Territory in Australia or the respective jurisdiction in which the Eparchy has members, including New Zealand and Oceania.

## 5.10.2 **Membership in a Parish**

- 5.10.2.1 Each of the faithful is a member of the parish in which he/she has residency and, by virtue of this membership, each faithful has a strict obligation to support that parish.
- Whenever a new parish is created, the faithful living within the boundaries of that new parish are required to belong to the newly created parish, unless grave reason requires that an individual family or person remain in the original parish.
  - In dubious cases, reference must always be made not only to the domicile of the party in question, but also to the parish in which the person(s) in question is/are registered to determine jurisdiction, especially in the case of marriage.
- 5.10.2.2 Mindful of the obligation to support that Faith Community both morally and financially, parishioners should regularly attend their own parish church.
- 5.10.2.3 All the faithful enjoying income of any sort are obliged to contribute to the support of their local parish, clergy, married priests and their families, sisters working in the parish their local Eparchy, the Patriarchal Church and the Apostolic See, so that these might continue their works of charity and the fostering of the Christian life.
- A just percentage of that income should be given by all. The very poor may be constrained to give less, and, those of means, are encouraged to contribute more.
  - Where Religious are working in a parish, parish priests shall accept that parish and the rights of the Religious to continue their apostolate.

## 5.11 **Guidelines for Establishing Missions and Parishes**

### 5.11.1 **Establishment of a Community**

- 5.11.1.1 A core group of Ukrainian Catholics interested in committing themselves spiritually and financially to the possible establishment of a mission must first be identified.
- 5.11.1.2 The community shall send a letter to the Eparch asking for a priest to visit them, perhaps even regularly (depending upon the availability of a presbyter and the proximity of the location).
- 5.11.1.3 Pending the report of the priest and the regularity of services, the community is established as a non-canonical community of the closest local Ukrainian Catholic parish with a separate financial accounting system. The sacramental records are kept at the aforementioned local parish.
- 5.11.1.4 If after five years there is no significant growth, the status of the community should be reviewed to determine its future feasibility (whether it should be disbanded).
- 5.11.1.5 No specific name shall be given to the community.

### 5.11.2 **Establishment of a Canonical Mission**

- 5.11.2.1 To establish a canonical mission the core group must number at least twenty active families and must satisfy the following conditions:
- There must be a priest or deacon available to the group to provide regular worship.
  - There must be sufficient potential for development and growth of the community.
  - The community must be financially solvent and able to support travel expenses and stipends for the presbyter, unless the Eparch, for special reasons, decrees otherwise.
- 5.11.2.2 If the conditions in the above statute are met, the priest and the community shall petition the Eparch for canonical status as a mission. The documentation must

include the community's statistics showing its physical, spiritual and financial growth since its inception and its future projections for growth.

5.11.2.3 Eparchial consultors shall review the evidence and render an opinion.

5.11.2.4 If the Eparch makes a decision to establish a mission canonically, he shall determine the name of the mission after having consulted with the local community, and he shall appoint a priest to minister to this community on a part time basis.

### 5.11.3 **The Mission**

5.11.3.1 The priest shall establish a mission council, or advisory board, in conformity with these Statutes. The members of that board are then required to work collaboratively toward the building up of the community.

5.11.3.2 The mission shall institute and maintain its sacramental register.

5.11.3.3 When financially feasible, the mission shall purchase suitable property for future development for a church, presbytery and meeting facility in accordance with these Statutes.

5.11.3.4 A normal worship schedule shall be maintained for the benefit of those belonging to the mission.

5.11.3.5 If after five years there is no significant growth, the status of the mission should be reviewed.

- If the mission is to be closed, the sacramental register shall be transferred to the custody of the mother parish or to the chancery. The mission financial accounts shall remain the property of the Eparchy.
- If the mission is to remain open, it shall be evaluated in another two years.

### 5.11.4 **Establishment as a Parish**

5.11.4.1 To establish a parish canonically:

- A proposed parish must show sufficient evidence of maturity in the realm of spiritual, physical and financial growth.
- The number of active family units must be at least twenty five.
- The mission must be financially capable of:
  - Paying the salary, sustenance and benefits of a full time priest;
  - Meeting all its financial obligations;
  - Setting aside money in a savings account;
  - Establishing a centre for worship and activities;
  - Providing a residence for the priest.

5.11.4.2 When the priest/administrator, in conjunction with the mission council (or advisory board), deems that these conditions have been met, the Eparch shall be petitioned for canonical establishment as a parish.

5.11.4.3 The Eparch shall present the information to the Eparchial consultors for their opinion.

5.11.4.4 The Eparch shall inform the parish priest/administrator of his decision. If the decision is favourable, he will designate the name of the new parish.

### 5.11.5 **Parish and Finance Councils**

5.11.5.1 The Body of Christ should act in complete unity in the furthering of the saving work of the Church. The mission of the Church is both the responsibility of the parish priest/administrator and of the lay people who work together to realise this noble task. According to CCEO Can. 295: "In the parish there are to be appropriate

councils dealing with pastoral and economic matters, according to the norm of the particular law of its own Church.

5.11.5.2 The existence of a Parish Finance Council is obligatory in every parish of the Eparchy.

5.11.6 **Particular Norms**

5.11.6.1 Each parish shall have a parish council that will be concerned with spiritual, pastoral, educational, financial and social needs of the parish. (See Section Six) Guidelines for Parish Finance Councils are in Appendix D.

5.11.6.2 The Eparch shall meet with the Parish Council during his canonical visitation. He will also review the minutes of the Parish Council and sign the latest copy.

5.11.6.3 The Protopresbyter, during his annual visit, shall meet with the Parish Council in order to derive a balanced view of the parish.

5.11.7 **Special Collections**

5.11.7.1 Special collections within the parish for its own needs are made at the discretion of the parish priest/administrator.

5.11.7.2 No organisation or ad hoc group is permitted to solicit offerings or to collect alms for non-church and non-parochial purposes in any church of the Eparchy (its hall or other buildings, or at any site being used by the church, even temporarily, or at church functions) without the written permission of the Eparch.

5.11.7.3 A priest is free to donate the offering at myrovannya to a worthy cause at his own discretion, and he may announce this intention beforehand.

5.11.7.4 Alms collected with the permission of the Eparch shall be sent to the chancery, which will forward them to the organisation for whom they were collected.

5.11.7.5 The permission of the parish priest/administrator is sufficient for worthy organisations to seek alms on the steps of the church (outside the building). By civil law, organisations cannot be prevented from collecting alms on the public pavement (sidewalk) in front of, or near, a church unless a hazard is created.

5.11.7.6 According to Canon law and the traditions of our Eparchy, the following special collections, as well as any other mandated by the Eparch, shall be taken up in every parish within the Eparchy at the appointed times:

**Purpose**

The Church in Need

Sacred Places in the Holy Land

Beatification Fund

Patriarchal Fund

Ukrainian Refugees

Peter's Pence

Eparchial Missionary Fund

Cathedraticum-Aluminaticum

**Collection Time**

Third collection on the first, second, third & fourth Sundays in Lent

Good Friday (collection at the tomb of Christ)

Third collection on the last Sunday of April or on Palm Sunday

Envelopes the months between May and August

Third collection on the Sunday of Pentecost

Third collection on the Sunday nearest the Feast day of St. Peter & Paul

Third collection on the last Sunday of October

Envelopes the months between September-October

Christmas Collection	Christmas Day
Easter Collection	Easter Sunday
Canberra Collection	Once Yearly
10% of Christmas donations	Christmas Period
10% of Easter donations	Easter Period
10% of House Blessing donations	January-March
10% of all last wills and testaments given to the Church or any specific parish	

#### 5.11.7A **Bishop's Rata**

- 5.11.7A.1 The Bishop's Rata is a specific tax distributed each year by the Eparch to each Mission, Community and Parish in proportion to the number of faithful therein (as a percentage)
- 5.11.7A.2 The Eparch shall from time to time issue a directive setting out the relevant percentages for the purposes of making the distribution of the Bishop's rata pursuant to 5.11.7A.1

#### 5.11.8 **Ecumenism**

- 5.11.8.1 Eparchial and parish ecumenical activities are encouraged.
- 5.11.8.2 Activities should be planned in which other Christians can cooperate, including projects for charity and social justice, as well as activities for the observance of civil occasions and holidays.
- 5.11.8.3 Catholic ministers licitly administer the sacraments only to Catholic Christians, who, likewise, licitly receive them only from Catholic ministers.
- 5.11.8.4 If necessity demands it, or genuine spiritual advantage suggests it, and provided that the danger of error or indifference is avoided, it is permissible for Catholic Christian faithful, for whom it is physically or morally impossible to approach a Catholic minister, to receive the sacraments of Penance, Holy Eucharist and the Anointing of the Sick from Orthodox ministers in whose churches these sacraments are valid.
- 5.11.8.5 In similar circumstances, Orthodox Christians, as well as other non-Catholic Christians may be admitted to the sacraments in parishes. The following guidelines, however, shall be observed as regards non-Catholic Christians other than Orthodox Christians:
- The person manifests a faith in the mystery (sacrament) in conformity with the authentic teaching of the Catholic Church
  - The person/believer demonstrates a serious spiritual need for the Eucharistic sustenance, Penance or Anointing of the Sick
  - This person is unable to have recourse to a minister of his/her own community, and
  - This person asks for the sacrament of his/her own accord.
- 5.11.8.6 In all of the above instances, Christian baptism must be a pre-condition.
- 5.11.8.7 If this inter-communion with the Church (specific faith community) occurs with frequency and, in the judgment of a priest, the above conditions are met, a request for inter-communion should come from the priest dealing with the individual. This

request should be addressed to the Eparch, testifying to the fulfilment of the conditions. A letter from the petitioner may also accompany the presbyter's petition.

- 5.11.8.8 The Eparchy fosters a special relationship with the Orthodox Churches and particularly with the Ukrainian Orthodox Church. Because of that relationship, liturgical and cultural policies should be performed in the light of this ecumenical dimension towards future unity.

## 5.11.9 **Political Activity Guidelines**

### **5.11.9.1 Political Endorsements**

- 5.11.9.1.1 Neither the parish priest/administrator nor any member of the parish may endorse a political candidate in the name of the parish/mission.
- 5.11.9.1.2 While a priest has the obligation to preach on moral issues, he may not encourage votes for or against any candidate by means of a sermon, parish bulletin, or sample ballot. This includes indirect statements, such as labelling a candidate.
- 5.11.9.1.3 The use of parish facilities for political activities should be discouraged.
- 5.11.9.1.4 Campaign posters may not be displayed on church property and campaign literature is not permitted to be distributed within church grounds.

### **5.11.9.2 Appearances of Politicians and/or Political Candidates**

- 5.11.9.2.1 The appearance of a politician who actually holds office in conjunction with a social function of the church is not to be construed as a "meeting". However, if a parish meeting is held on church property owned by the Eparchy or parish where a candidate intends to appear, all other candidates must be given a reasonable opportunity to appear at the same meeting.

## **SECTION SIX:**

### **6. PARISH COUNCIL CONSTITUTION**

#### **6.1 The Role of the Laity**

- 6.1.1 The Christian faithful belong to the family of God, because they are incorporated into Christ through baptism and thus constitute the People of God. By Divine institution and by virtue of sacred ordination there are in the Church, bishops, priests and deacons. The terms “lay persons” or “laity” is applied to the Christian faithful whose natural state is secular. They also participate in the mission of the Church.
- 6.1.2 By Divine institution, a bishop is entrusted with the pastoral care of a group of People of God called the Eparchy, which comprises of a number of Parish communities.
- 6.1.3 The Bishop entrusts each established Parish community to a Parish Priest whom he charges with the obligations of ministering to the spiritual and material needs of the Parish.
- 6.1.4 The faithful members of the Parish communities, as taught by the Second Vatican Council, have assumed a greater responsibility in the mission of the Church. They offer their experience and competence in different areas of human activities and undertake various tasks and offices for the renewal and development of the Church.
- 6.1.5 Every Parish community needs organisation and guidance to accomplish its work so that all the people and resources dedicated to the task can be used to best advantage.
- 6.1.6 In every Parish a Parish Council shall be set up to assist the Parish Priest to organise and lead the faithful to carry out these responsibilities.
- 6.1.7 Through reflection, planning, administration and action the Parish Council, in assisting the Parish Priest, must carefully consider the needs of the faithful and search within the Parish community for the means that will adequately respond to these needs.
- 6.1.8 The responsibility of the Parish Council does not take away the continued mission and responsibility of the Parish as a whole. Therefore, each baptised Parish member remains responsible in his/her own way for the mission of the Parish. In this way, the Parish Council, assisting the Parish Priest, is a means for better discharging the responsibilities of the whole Parish community.

#### **6.2 Membership of a Parish**

- 6.2.1 All Catholics in the territory of a given Parish are by law, members if they belong to the particular autonomous Church for which the Parish was founded. These Catholics are obliged to consider themselves members of the Parish of their residence.
- 6.2.2 Members of a Parish are those faithful of the Church who are registered with the Parish office, make contributions, or substantial service for the maintenance of the Parish, and participate regularly at the Divine Liturgies. Such members have a right to participate in the deliberations, voting and elections of the Parish Council and General Meetings.

- 6.2.3 The term “parishioner” signifies Christian faithful who are on the Parish register and who manifest their willingness to be a member of the Parish by worshipping with the Parish community and by participating and contributing to the support of the Parish and its activities.
- 6.2.4 Parishioners of a given parish are obliged to maintain and care for the financial welfare of the Parish Priest, the assistant priests and the Religious working within the Parish. The levels of fiscal care should be in accordance with the norms laid down by the Eparchy. All Parish Priests, the assistant priests and the Religious working within the Parish shall be assured an appropriate standard of living.
- 6.2.5 All faithful enjoying an income from any source whatsoever are obliged to contribute a just portion of their income towards the support of both the works of religion and charity in their parish and an acceptable livelihood for its clergy and Religious.
- 6.2.6 The expected contribution is a voluntary donation given into the collection during the Sunday Liturgy.
- 6.2.7 It shall be considered as a fair contribution to the Parish, that an amount equivalent to 1-5% of income or 1 hours pay per week be donated weekly.
- 6.2.8 With some exceptions, the contribution of substantial services of a Parish member, who does not contribute monetarily, can be recognised by the Parish Priest and council, and such a member may, thus be considered as a contributor to the Parish.

### **6.3 Aims and Objectives of the Parish Council**

- 6.3.1 The Parish Council brings together lay people and professed Religious, who, together with their parish priest, work jointly to administer and develop the parish as a living Christian community.
- 6.3.2 The work of a Parish Council shall be guided by the Parish Priest. The work will aim to:-
- Foster the spiritual growth of all parish members, (children and adults) who are followers the Ukrainian Catholic Church tradition.
  - Care about parish life, co-ordinate all parish activities and programs.
  - Endorse activities that individuals and organisations seek to undertake in the parish.
  - Become concerned with the needs and pastoral priorities of the Eparchy and also of the Universal Church.
  - Keep in close contact with the Eparchial Pastoral Council (UCCA) and seek well-informed advice and guidance, when necessary, on the pastoral initiatives developed by the Eparchial body.
  - Encourage members to attend all meetings called by the Eparchial Pastoral Council (UCCA).
  - Pay all membership fees and levees of Eparchial organisations and to support Eparchial funds that are established from time to time for the good of the Universal Church and the Eparchy.
  - Foster vocations to the clerical and religious life.
  - Assist in the expansion of the mission of the parish and Church at home and in foreign lands.
  - Maintain the physical properties of the parish.
- 6.3.3 The Parish Council may extend its actions beyond the parish, in keeping with existing Church laws and according to a mandate or specific request of the Eparch.



## **6.4 The Authority of the Parish Council**

- 6.4.1 The Parish Council has the authority to participate in the decision-making process, as a consultative body according to canon law. In dealing with pastoral and economic matters of the parish, the Parish Priest must ratify all proposals of the Parish Council.
- 6.4.2 The Parish Council, in consultation with the parish priest, has the authority to approve the annual parish budget and to supervise its implementation
- 6.4.3 The Parish Priest, alone, is responsible for and is obliged to answer to the Eparchial Bishop or the parish community for the Parish Council decisions. All final decisions shall be left to the discretion of the Parish Priest.
- 6.4.4 Neither the Parish Council nor the Parish Priest has the authority to make decisions that would contradict the common-good of the parish, or be in conflict with Church laws or Eparchial policies.
- 6.4.5 In the event of a substantial disagreement between the Parish Priest and the Parish Council, the Council may appeal to the Eparch for a determination.

## **6.5 Parish Council Membership**

- 6.5.1 The Parish Council must be representative of the faithful of the parish and of the various Parish-related organisations that exist within its boundaries.
- 6.5.2 Potential members of the Parish Council should possess key qualities and skills such as a keen desire to help, the ability to listen, reflect and express themselves with care.
- 6.5.3 The Parish Council shall comprise of ex-officio members and elected members.
- 6.5.4 Ex-officio members of the Parish Council shall not be included in determining the numerical membership of the Parish Council.
- 6.5.5 The number of members of the Parish Council, where feasible, shall be at a minimum of six and a maximum of eighteen.
- 6.5.6 The number of Parish Council Members may be altered by action of the Council by way of a two-thirds majority vote, at any regular or special meeting of the Parish Council.
- 6.5.7 The elected members of the Parish Council, where feasible, shall fulfill the following roles:
- Chairperson,
  - Vice-Chairperson,
  - Recording Secretary,
  - Treasurer,
  - Liturgical Committee,
  - Religious/Educational Committee
  - Vocations Committee,
  - Youth Committee,
  - Social Committee,
  - Public Relations Committee,
  - Statutes, Policies and Procedures Committee,
  - Finance Committee.
  - Property/Maintenance Committee,
  - Ecumenical Committee

- Family Life Committee
- Social Justice and Peace Committee
- Museum/Archives Committee
- Auditing Committee

6.5.8 In Parishes where the membership is small in number a minimal Parish Council consisting of three individuals: a Chairperson, a Secretary and a Treasurer should be formed to assist the Parish Priest.

## **6.6 Ex Officio Members**

6.6.1 The Parish Priest of the Parish shall be an ex-officio member and also act as the President of the Parish Council.

6.6.2 Assistant Parish Priest(s), Deacon(s) and Religious working within the Parish shall be ex-officio member(s) of the Parish Council.

6.6.3 The Superior or his/her representative of each Religious Order shall be an ex-officio member of the Parish Council in the Parish in which they have a residence.

6.6.4 To ensure continuity of Council activities, the immediate past chairperson shall be an ex-officio member of the Parish Council.

6.6.5 Heads of Parish organisations or their representatives, shall be ex-officio members of the Parish Council.

## **6.7 Elected Members**

6.7.1 To be eligible to serve on the Parish Council, the members of the Parish Council must be practicing Catholics, free from canonical penalties, belonging to the Parish for at least two years, and attending Sunday Liturgies regularly.

6.7.2 No fewer than four (4) weeks prior to the Annual Meeting, the Parish Council shall appoint a Nominating Committee comprised of the Parish Priest, Nominating Committee Chairperson, Past Chairperson and two Parishioners to nominate prospective members for elections to the new Parish Council.

6.7.3 Further nominations to the Council may be made from the floor at the Annual Meeting.

6.7.4 Elections shall be held at the Annual July Parish Meeting.

6.7.5 Each Council Member shall carry out his/her duties for one (2) year term and shall be eligible for election to that office at subsequent Annual General Meetings.

6.7.6 For the benefit of continuity, approximately one half (1/2) of the Parish Council Membership shall be re-elected annually.

6.7.7 The tenure of office of members of the Parish Council shall be from the date of their election to the expiry of the term for which they are elected, or until their successors are duly elected or appointed.

6.7.8 In the event that a Parish Council Member cannot continue to serve on the Council, a letter of resignation indicating the reason(s) and date of termination shall be submitted to the Parish Priest or Chairperson of the Parish Council.

6.7.9 A Parish Council Elected Member's office may be terminated only when there is a serious and deliberate breach of the ruling Church Statutes. The termination process will be exercised as follows:

- The decision must be affirmed by a majority of the Parish Council members.
- The Eparch must ratify this decision within thirty (30) days.

- The notice of termination must be sent by registered letter to the member in question by the Parish Council Chairperson.
- A vacancy on the Parish Council may be filled by a parishioner who has been elected by a majority vote of the Parish Council. A member so elected will serve on the Parish Council until the expiry date of the term of office.

## **6.8 The Parish Priest as President of the Parish Council**

- 6.8.1 The Parish Priest is designated by the Bishop to provide pastoral care for the parish (CCEO Cann. 279 and 281) and he shall assume the role of President of the Parish Council. In all juridical affairs the Parish Priest represents the person of the parish (CCEO Can.290).
- 6.8.2 The Parish Priest shall delegate and co-ordinate the overall work of the parish, recognising the ministries of others and supporting them.
- 6.8.3 Together with the Chairperson, the Parish Priest is responsible for drawing up the agenda and for calling Parish Council Meetings.
- 6.8.4 In setting up the agenda, the Parish Priest must be open to the legitimate desires and aspirations of all parishioners, as presented by the Parish Council Members.
- 6.8.5 The Parish Priest is the principal signing officer. The signature of the Parish Priest is mandatory on all properly approved financial transactions. The other signatures must be one of the Chairperson or Treasurer of the Parish Council.
- 6.8.6 In case of urgency, when the Parish Priest is unavailable for more than ten (10) consecutive days, the signature of the Chairperson and Treasurer shall be required for a financial transaction to be deemed properly approved.
- 6.8.7 The Parish Priest is an ex-officio member of all Parish Council Committees.
- 6.8.8 The Parish Priest has responsibilities to Church laws and to the Eparch.
- 6.8.9 Given his special role, the Parish Priest shall not participate in voting, except to break a tie vote.

## **6.9 Chairperson of the Parish Council**

- 6.9.1 The Chairperson of the Parish Council shall be elected annually at the Annual Parish Meeting and is included in the numerical membership of the Parish Council.
- 6.9.2 Together with the Parish Priest, the Chairperson is responsible for drawing up the agenda and for calling Parish Council Meetings.
- 6.9.3 The Chairperson directs and chairs all meetings of the Parish Council.
- 6.9.4 The Chairperson shall ensure that the program of activities decided upon and ratified by the Parish Council and ratified by the Parish Priest is implemented.
- 6.9.5 The Chairperson, together with the Parish Priest, shall sign all properly approved documents of the Parish Council.
- 6.9.6 The Chairperson is a signing officer, together with the Parish Priest, for properly approved financial transactions.
- 6.9.7 The Chairperson is an ex-officio member of all Parish Council Committees.
- 6.9.8 The Chairperson prepares the Chairperson's Report for presentation at the Annual Parish Meeting.

## **6.10 Vice-Chairperson**

- 6.10.1 The Vice-Chairperson shall be elected at the Annual Parish Meeting and is included in the numerical membership of the Parish Council.
- 6.10.2 The Vice-Chairperson shall preside at all meetings in the absence of the Chairperson.
- 6.10.3 The Vice-Chairperson shall carry out such duties as are assigned by the Parish Council, the Chairperson or the Parish Priest.

## **6.11 Recording Secretary**

- 6.11.1 The Recording Secretary shall be elected at the Annual Parish Meeting and is included in the numerical membership of the Parish Council.
- 6.11.2 The Recording Secretary shall keep the minutes of all Parish Council Meetings.
- 6.11.3 Together with the Parish Priest and Chairperson, the Recording Secretary signs the adopted minutes of the Parish Council.
- 6.11.4 The Recording Secretary shall, at his/her earliest convenience, deliver the adopted minutes to the rectory office for inclusion into the parish archives.
- 6.11.5 The Recording Secretary shall maintain a duplicate set of adopted minutes for reference at Parish Council meetings.

## **6.12 Treasurer**

- 6.12.1 The Treasurer shall be elected at the Annual Parish Meeting and is included in the numerical membership of the Parish Council.
- 6.12.2 The responsibility of the Treasurer is to monitor all funds received by the Parish and ensure that all such funds are deposited in the Parish bank account.
- 6.12.3 The Treasurer shall keep accurate records of all income and expenditure.
- 6.12.4 The Treasurer keeps in order and preserves documents, records and books of Parish finances.
- 6.12.5 The Treasurer is a signing officer, together with the Parish Priest, for properly approved financial transactions.
- 6.12.6 The Treasurer is the ex-officio Chairperson of the Finance Committee.
- 6.12.7 The Treasurer shall present at the Annual Parish Meeting the Statement of income and expenditure, as well as the Balance Sheet, for the calendar year as prepared by them or, where necessary, by an independent accounting firm.

## **6.13 Formation of Committees**

- 6.13.1 The members of the Parish Council should be drawn from the various spheres of the life and pastoral activity of the Parish. Being entrusted with the pastoral and temporal care and development of the Parish, the Parish Council shall create various committees to perform their duties as authorised and directed by the Council in conjunction with the approval and direction of the Parish Priest.
- 6.13.2 The role of each Committee, with the approval and direction of the Parish Priest, is to plan and assist the Parish Council in implementing the activities or projects in the Parish, within the area of its responsibility.
- 6.13.3 The responsibilities of Standing Committees are outlined in the Statutes. The responsibilities of a Committee that is appointed for a special project should be specified at the time of designation of the Committee.

- 6.13.4 The Chairperson of each Committee shall be a member of the Parish Council.
- 6.13.5 Each Committee shall consist of at least three (3) members who are selected by the Chairperson of the respective committee from among the members of the Parish. The committee Chairperson shall submit the names of prospective Committee members to the Parish Priest and the Parish Council for approval.
- 6.13.6 Committee member appointments shall be for a period of one year. Members may be re-appointed.
- 6.13.7 The members of the Committee shall elect a Secretary. Records shall be kept of all Committee meetings and the Committee shall report to the Parish Council, as and when requested to do so.
- 6.13.8 Each Standing Committee Chairperson shall submit an itemised budget to the Treasurer of the Parish Council by the end of September.
- 6.13.9 The Parish Council shall oversee the financial transactions for all Committee budgets.
- 6.13.10 The Parish Council Finance Committee shall maintain one central Parish Bank Account for the operation of Parish finances.

#### **6.14 Liturgical Committee**

- 6.14.1 The Liturgical Committee is responsible for working with the Parish Priest to make the Divine Liturgy, and other liturgical celebrations, an active worship of the Parish congregation.
- 6.14.2 The Liturgical Committee shall assume overall responsibility for the functions listed hereunder. It may, with the approval of the Parish Priest, delegate special duties in accordance with the general policy of the Parish Council, which may be determined from time to time.
- 6.14.3 The Liturgical Committee shall arrange and co-ordinate, with the approval of the Parish Priest, the participation of parishioners as readers, ushers, cantors, choir members, altar boys, sacristans, the brotherhood, the sisterhood, and others as needed.
- 6.14.4 The Liturgical Committee shall arrange with the Parish Priest special services and celebrations, as may be required.
- 6.14.5 The Liturgical Committee will care for the liturgical vestments, altar linens and liturgical books in the Parish church.
- 6.14.6 The Liturgical Committee shall submit a budget of estimated expenditures to the Finance Committee.
- 6.14.7 The Liturgical Committee shall prepare and submit a report to the Annual Parish Meeting.

#### **6.15 Religious/Educational Committee**

- 6.15.1 The Religious/Educational Committee shall operate within the parish and shall undertake the following tasks:-
  - Carry overall responsibility for the functions listed hereunder, and it may delegate special duties in accordance with the general policy of the Parish Council, which may be determined from time to time.
  - In those parishes where there are parish-owned and operated schools, it shall oversee the school and appoint the Parents' Committee of the school.

- Maintain a parish library and recommend possible acquisitions of library material, especially catechetical publications.
- Encourage all parishioners to become active members of the parish.
- Research educational material for publication in the weekly parish bulletin and Eparchial newspaper.
- Submit a budget of estimated expenditures to the Finance Committee.
- Prepare and submit a report at the Annual Parish Meeting.

## **6.16 Vocations Committee**

6.16.1 The Vocations Committee shall operate within the parish and shall undertake the following tasks:-

- Carry overall responsibility for the functions listed hereunder, and it may delegate special duties in accordance with the general policy of the Parish Council, which may be determined from time to time.
- Direct the development and fostering of vocations within the parish.
- Research educational material for publication in the weekly parish bulletin and Eparchial newspaper.
- Submit a budget of estimated expenditures to the Finance Committee.
- Prepare and submit a report at the Annual Parish Meeting.

## **6.17 Youth Committee**

6.17.1 The Youth Committee shall co-ordinate programs and activities that cater to the needs of the youth members of the parish.

6.17.2 The Youth Committee shall operate within the parish and shall undertake the following tasks:-

- Assist the Ukrainian Catholic youth in the parish to organise its activities, thus introducing the youth to the activities of the parish community so that in the future they will be able to take over the leadership in the life of the parish.
- Make recommendations to the parish council on policy and action that would be beneficial to the youth ministry.
- Research and prepare programs for the improvement of the Youth Apostolate of the Eparchy.
- Work with various youth groups and encourage the formation of new ones where needed within the Parish.
- Speak on behalf of youth at various levels of activities in the Church.
- Submit a budget of estimated expenditures to the Finance Committee.
- Prepare and submit a report at the Annual Parish Meeting.

## **6.18 Social Committee**

6.18.1 The Social Committee shall assume overall responsibility for the functions listed hereunder. It may delegate specific duties in accordance with the general policy of the Parish Council, which may be determined from time to time.

6.18.2 The Social Committee shall operate within the parish and shall undertake the following tasks:-

- Be responsible for providing and arranging parish social and cultural activities, formal functions and programs of parish celebrations.

- Provide and arrange for recreational activities and programs of events connected with the traditions of Feast day celebrations.
- Oversee the management of the Parish kitchen facilities and work with parish and community organisations on all living and usage issues.
- Submit a budget of estimated expenditures to the Finance Committee.
- Prepare and submit a report at the Annual Parish Meeting.

## **6.19 Public Relations Committee**

6.19.1 The Public Relations Committee shall assume overall responsibility for the functions listed hereunder. It may delegate specific duties in accordance with the general policy of the Parish Council, which may be determined from time to time.

6.19.2 The committee shall operate within the parish and shall undertake the following tasks:-

- Assist the Parish Priest in developing and maintaining good relationship between the Parish Priest, parishioners, parish organisations, other parishes and the public.
- Keep parishioners informed of events through the weekly bulletin of Parish Council activities and other necessary announcements.
- Provide the required publicity for the activities of the parish.
- Welcome new parishioners and provide them with all necessary information on parish life and church events
- Submit a budget of estimated expenditures to the Finance Committee.
- Prepare and submit a report at the Annual Parish Meeting.

## **6.20 Statutes, Policies and Procedures Committee**

6.20.1 The Statutes, Policies and Procedures Committee shall, at the request of the Parish Council, review the Parish Council Statutes, the Eparchial Statutes and all other relevant statutes within the parish, and present recommendations for their interpretation and amendment according to the procedures that are laid down in the statutes or by-laws themselves.

6.20.2 The Statutes, Policies and Procedures Committee shall operate within the parish and shall undertake the following tasks:-

- Develop and formulate statutes for all parish organisations which are in need of such statutes and this Committee will have the newly created statutes approved by the appropriate authorities.
- Develop policies and procedures that may be needed from time to time within the life of the parish. These new policies and procedures shall be presented to the Parish Council or other authorities for approval and implementation. These policies must always be in keeping with Civil Law, Canon Law, Eparchial Statutes and common courtesy, while at the same time protecting the interest and good order of the parish.
- Submit a budget of estimated expenditures to the Finance committee.
- Prepare and submit a report at the annual Parish Meeting.

## **6.21 Finance Committee**

6.21.1 The Finance Committee is appointed by the Parish Priest and is responsible in assisting the Parish Priest to carry out the overall financial administration of the

parish. It may delegate specific duties in accordance with the general policy of the Parish Council, which may be revised from time to time.

- 6.21.2 The Finance Committee shall operate in accordance with the specific norms as set out in APPENDIX D of the Statutes.
- 6.21.3 The Finance Committee shall maintain custody of all general funds of the parish. These consist of weekly church revenue at collection time, envelope donations, income from social events, donations and bequests from Last Wills and Testaments and income from church committees.
- 6.21.4 The Finance Committee shall present a list of expenses for payment to the Parish Council for approval, and accounts for financial transactions of the parish in accordance with the Eparchial Financial Regulations.
- 6.21.5 The Finance Committee shall be responsible for managing disbursements associated with all Church property, payment of Rates and Statutory Charges, payment of Insurances on Church properties and payment of the Parish Priest's stipend.
- 6.21.6 The Finance Committee shall receive the yearly budget proposals of all the parish council committees. After careful study the Finance Committee will present the proposed budgets to the Parish Priest and the Parish Council for approval.
- 6.21.7 The Finance Committee shall prepare and submit a report at the annual Parish Meeting.

## **6.22 Property/Maintenance Committee**

- 6.22.1 The Property/Maintenance Committee shall assume overall responsibility for the functions listed hereunder. It may delegate specific duties in accordance with the general policy of the Parish Council, which may be determined from time to time.
- 6.22.2 The Property/Maintenance Committee shall operate within the parish and shall undertake the following tasks:-
- Oversee all living and usage issues relating to all parish property.
  - Be responsible for maintaining parish buildings and properties in a good state of repair and operation.
  - Work within the limits of Building Regulations and it must protect the best interest of the parish when consulting architects, contractors and City authorities during periods when the parish embarks on new building works and construction projects.
  - Obtain estimates/quotes, usually three (3), for repairs and purchases of a capital nature and present bids and/or proposals or quotations to the Parish Council for selection.
  - Maintain an updated register of property titles and all items of a capital-enduring nature in the parish.
  - Submit budgets of estimated expenditures to the Finance Committee.
  - Prepare and submit a report at the Annual Parish Meeting.
- 6.22.3 The Property/Maintenance Committee may not proceed with repairs or purchases without the approval of the Parish Council except in emergencies, in which instance, the approval of the Parish Priest or another authorised person is required.

## **6.23 Ecumenical Committee**

- 6.23.1 The Ecumenical Committee shall research and prepare programs for Ecumenical activities within the parish.



- 6.23.2 The committee shall operate within the parish and shall undertake the following tasks:-
- Represent the parish at various Ecumenical meetings and celebrations on a laity level.
  - Advise the parish priest and the parish council on relationships with various Churches.
  - Submit a budget of estimated expenditures to the Finance Committee.
  - Prepare and submit a report at the Annual Parish Meeting.

## **6.24 Family Life Committee**

- 6.24.1 The Family Life Committee shall research, prepare and implement programs intended to enhance family life within the parish, especially for families in crisis and families with various needs.
- 6.24.2 The Family Life Committee shall operate within the parish and shall undertake the following tasks:-
- Participate in marriage preparation programs within the parish.
  - Develop programs for the introduction into parish life of marriages that include non-Ukrainian partners.
  - Submit a budget of estimated expenditures to the Finance Committee.
  - Prepare and submit a report at the Annual Parish Meeting.

## **6.25 Social Justice and Peace Committee**

- 6.25.1 The Social Justice and Peace Committee shall research, present and activate programs that would address the social needs and problems of the parish and the community in which we live.
- 6.25.2 The Social Justice and Peace Committee shall prepare recommendations to enhance the awareness of social problems and their solutions in our society, with plans for concrete action.
- 6.25.3 The Social Justice and Peace Committee shall operate within the parish and shall undertake the following tasks:-
- Research and prepare, where possible, the integration of Centacare programs in the parishes.
  - Work with Caritas to help improve social standards in our society.
  - Submit a budget of estimated expenditures to the Finance Committee.
  - Prepare and submit a report at the Annual Parish Meeting.

## **6.26 Museum/Archives Committee**

- 6.26.1 The Museum/Archives Committee shall assume overall responsibility for the functions listed hereunder. It may delegate specific duties in accordance with the general policy of the Parish Council, which may be determined from time to time.
- 6.26.2 The Museum/Archives Committee shall operate within the parish and shall undertake the following tasks:-
- Maintain the archives of the Parish.
  - Be responsible for maintaining, storing and preserving all documents and artifacts of historical religious and cultural significance.

- Be responsible for staging exhibitions, preparing educational publications and explaining the material as required.
- Submit a budget of estimated expenditures to the Finance Committee.
- Prepare and submit a report at the Annual Parish Meeting.

## **6.27 Auditing Committee**

- 6.27.1 An Auditing Committee shall consist of three (3) parish members who are not simultaneously members of the Parish Council.
- 6.27.2 Members of the Auditing Committee shall be elected each year at the Regular Parish Council Meeting.
- 6.27.3 The role of the Auditing Committee is to review the Accountant's Report and parish books for the fiscal year and confirm that the transactions were made according to the determination at Parish and/or Parish Council Meetings, and present an auditor's report for the Annual General Meeting of the Parish.

## **6.28 Formation of Other Committees (Ad Hoc Committees)**

- 6.28.1 The Parish Council may, from time to time, create other ad hoc committees as required. These committees shall carry out duties as they are assigned to them by the Parish Council.

## **6.29 Parish Council Meetings**

- 6.29.1 An Annual Meeting of the Parish shall be called annually in July of each new calendar year.
- 6.29.2 The Annual Meeting is for the purpose of reporting the activities of the Parish Council and its committees during the past calendar year, electing Members to the Parish Council, requesting amendments to the Statutes, expressing the community's needs and transacting any other business that the Parish deems necessary.
- 6.29.3 Notice shall be published for at least three (3) Sundays immediately preceding the Annual Parish Meeting as to the place, date and time of such Meeting.
- 6.29.4 At the Annual Parish Meeting all Parish Members present shall constitute a quorum.
- 6.29.5 A list of candidates for the offices of the Parish Council, prepared by the Nominating Committee, shall be published at least two (2) weeks before the Annual Meeting.
- 6.29.6 Any Parish Member present at the Annual Parish Meeting shall have the right to nominate further candidates from the floor, provided that any such nomination is made with the consent of the nominee, in which case election by a show of hands will be conducted.
- 6.29.7 Any member of the parish present at the Annual Meeting shall be entitled to vote in the elections.

## **6.30 Nominating Committee**

- 6.30.1 At the Regular Parish Council Meeting in the months of June/July, a Nominating Committee shall be appointed by the Parish Priest and Parish Council.
- 6.30.2 The Nominating Committee shall consist of the Parish Priest, the Chairperson of the Nominating Committee, Past Chairperson and two members of the Parish

willing to carry out the duties of choosing candidates for elections to the Parish Council.

- 6.30.3 The Chairperson of the Nominating Committee shall chair that portion of the Annual Parish Meeting dealing with nominations and elections.
- 6.30.4 The Chairperson shall call for and accept nominations from the floor at the Annual Parish Meeting, providing that any such nomination is made with the consent of the nominee.
- 6.30.5 Nominations for each officer's position, only, shall be called for prior to each ballot.
- 6.30.6 For every elected position, voting shall be by show of hands, except when there is only one candidate, who automatically assumes a position by acclamation.

### **6.31 Regular Parish Council Meeting**

- 6.31.1 The Parish Council shall meet once a month and hold a minimum of nine (9) meetings annually.
- 6.31.2 All regular Parish Council Meetings shall be open to all members of the parish and notice of such meetings shall be published in the Sunday Parish bulletin, issued one week prior to the meeting.
- 6.31.3 Meetings of the Parish Council shall be held at a principle place in the parish or at any other suitable place convenient to the members, as may be designated by the Parish Priest.
- 6.31.4 The agenda of each Parish Council Meeting shall be distributed before the meeting. Significant issues on the agenda should be communicated to Parish Council Meetings at least one week before the meeting.
- 6.31.5 Each Parish Council Member can suggest, for the prepared Agenda, additional items to be discussed during the meeting.

### **6.32 Special Parish Council Meeting**

- 6.32.1 The Parish Priest, or the Chairperson with written request of one quarter (1/4) of the Parish Council Members, may call a Special Parish Council Meeting.
  - A three-day notice to each Parish Council Member shall be given personally, or by mail, e-mail, fax or telephone. The notice shall state the time, place, and purpose of the meeting.
  - Only those matters pertaining to the particular purpose of the meeting shall be discussed and acted upon at such a Special Parish Council Meeting.
  - Parish meetings and Parish Council meetings are only valid when called by and/or approved by the Parish Priest.

### **6.33 Special General Parish Meetings**

- 6.33.1 With the request of two thirds of the Parish Council Members, or upon receipt of a written request signed by at least one quarter of the Parish members, the Chairperson, with the consultation and approval of the Parish Priest, shall be allowed to call a Special General Parish Meeting when a particular major matter concerning the whole Parish is to be decided upon.
- 6.33.2 Only those matters pertaining to the particular purpose of the meeting may be discussed and acted upon at such a Special General Parish Meeting.

6.33.3 If it proves to be reasonable, a notice as to the place, date, time and agenda shall be published for at least two (2) Sundays immediately preceding the Special General Parish Meeting. In emergency situations, time shall be of the essence.

## **6.34 Rules of Order**

### **6.34.1 Quorum**

6.34.1.1 At all Meetings of the Parish Council, one third of the voting Council Members shall constitute a quorum for the transaction of business.

6.34.1.2 At the General Parish Meeting all Parish Members present shall constitute a quorum.

### **6.34.2 Voting**

6.34.2.1 All elected members and the members ex-officio of the Parish Council shall have the right to cast a vote at meetings of the Parish Council.

6.34.2.2 Voting at any election shall be by show of hands.

6.34.2.3 Members of the Parish Council may request that certain votes or elections be held by secret ballot. Where the majority of those present vote to hold a secret ballot, the following procedures shall be followed:-

- Before elections begin, two scrutineers shall be appointed from among the members present.
- The scrutineers will count all voters that are present. After counting the votes cast, they will announce how many votes each nominee has received.
- If the number of ballots exceeds the number of electors, the vote is null.
- A person is considered elected or a motion passed when there is an absolute majority of the votes (50% + 1).
- When votes are equal, the Parish Priest votes to break the tie.
- The Secretary shall record accurately all the acts of the election.

6.34.2.4 The decisions of the majority of the members present at the Meeting of the Parish Council, at which a quorum is established, shall be decreed to be decisions of the Parish Council.

6.34.2.5 Whenever the Chairperson is challenged on a matter of procedure, the Chairperson shall call a vote of the members present on the issue. The challenge shall be presented in a form of a motion with a seconder required.

### **6.34.2A Conflicts of Interest**

6.34.2A.1 Conflicts Management Protocols shall be issued from time to time by the Eparch as directed.

6.34.2A.2 If a Parish Council Meeting does not have quorum as required by clause 6.34.1.1, then to obtain quorum of the Parish Council the advice of the Eparch shall be sourced.

6.34.2A.3 If there is still no quorum of the Parish Council, then the Parish priest shall seek directions from the Eparch who will act on advice of the Eparchial Consistory.

### **6.34.3 Fiscal Year**

6.34.3.1 The fiscal year shall be from 1<sup>st</sup> July to 30<sup>th</sup> June inclusive.

## **6.35 Liability Insurance**

- 6.35.1 It is the responsibility of every Community, Mission or Parish Council to obtain liability insurance for all members of the Community, Mission or Parish Council, as the case may be, to indemnify against loss suffered in any way whatsoever in the exercise of any and all functions related to Community, Missions or Parish Council business, as the case may be.

# SECTION SEVEN:

## 7. STATUTES REVIEW AND AMENDMENTS

### 7.1 Statutes Review and Canon Law Committee

#### 7.1.1 Establishment

7.1.1.1 Without limiting the generality of Preliminary Norm 9, there shall be an Eparchial Statutes Review and Canon Law Committee for the Eparchy of Ss. Peter and Paul of Melbourne for the Ukrainian Catholics of Australia, New Zealand and Oceania.

#### 7.1.2 Duties

7.1.2.1 The Eparchial Statutes Review and Canon Law Committee has the duty to:

- act as a consultative body
- report annually to Soborchyk on its work
- make proposals for amendments to these statutes
- provide advice regarding proposals for amendments to these statutes and
- draft any amendments which have been adopted pursuant to statute 7.2

#### 7.1.3 Composition

7.1.3.1 The Eparchial Statutes and Review Committee shall comprise 6 (six) members, three of who shall be clergy or religious and three of who shall be members of the faithful.

7.1.3.2 Members of the Committee shall be appointed by the Eparch, with one member of the clergy or religious being appointed as Chair and one member of the faithful being appointed as Vice-Chair.

7.1.3.3 Members of the Eparchial Statutes Review and Canon Law Committee are appointed for a five-year term, renewable.

7.1.3.4 For the duration of their appointment, the Eparch, except for grave and documented reasons, cannot dismiss members for the Eparchial Statute Review and Canon Law Committee.

### 7.2 Amendment of the Eparchial Statutes

7.2.1 Without limiting the generality of Preliminary Norm 6, these statutes, or any one of them, may be withdrawn or amended by the Eparch, acting pursuant to his sole legislative power under CCEO 191.

7.2.2 The Eparch may in his absolute discretion choose to exercise his power to withdraw or amend these statutes, or any one of them, under 7.2.1 following a minimum three-fourths majority of the Quorum present at the Triennial General Meeting of the Eparchial Pastoral Council to present to the Eparch a proposal for the withdrawal or amendment of these statutes, or any one of them, which has been ratified by:

7.2.2.1 a minimum three-fourths majority of the clergy and religious of the Eparchy of Ss. Peter and Paul of Melbourne for the Ukrainian Catholics of Australia, New Zealand and Oceania; and

7.2.2.2 a minimum three-fourths majority of the Community, Mission and Parish Councils from time to time comprising the Eparchy of Ss. Peter and Paul of Melbourne for the Ukrainian Catholics of Australia, New Zealand and Oceania.

### **7.3 Time in Which Three-Fourths Majority Must Be Obtained**

7.3.1 For the purposes of 7.2 the three-fourths majority of both the clergy and of the Community, Missions and Parish Councils must be obtained within one calendar year from the date of the proposal being submitted to clergy and religious and the Community, Mission or Parish Councils of the Eparchy, after which date the proposal will lapse.

7.3.2 A proposal which has lapsed through effluxion of time in 7.5.1 may be submitted again to the clergy and religious and to the community, Mission or Parish Councils provided that not less than one calendar year has elapsed from the lapse of the first submission to the clergy and religious and to the Community, Mission or Parish Councils.

### **7.4 Proposal for Amendment**

7.4.1 For the purpose of this Section, and without limiting the generality of Preliminary Norm 8, the Eparchial Statutes Review and Canon Law Committee or any member of the clergy, religious or of the faithful or any Community, Mission or Parish Councils of the Eparchy of Ss. Peter and Paul of Melbourne for the Ukrainian Catholics of Australia, New Zealand and Oceania may make a proposal for the amendment of these statutes.

## **APPENDICES:**

- Appendix A: THE PARISH VISION STATEMENT**
- Appendix B: THE PARISH COUNCIL COMMITTEES**
- Appendix C: BUILDING GUIDELINES**
- Appendix D: NORMS GOVERNING FINANCE  
COMMITTEES**
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CONSULTORS**
- Appendix G: RECOURSE PROCEDURES**
- Appendix H: ADMINISTRATIVE RULES OF THE CLERGY  
WELFARE FUND**
- Appendix I: THE CONSTITUTION OF THE UKRAINIAN  
CATHOLIC COUNCIL IN AUSTRALIA (THE  
EPARCHIAL PASTORAL COUNCIL)**
- Appendix J: STATUTES AMENDING DOCUMENT – 2005**



# APPENDIX A: THE PARISH VISION STATEMENT OF THE UKRAINIAN CATHOLIC CHURCH IN AUSTRALIA

..... Ukrainian Catholic Church, instituted by canonical decree of Bishop ..... on the .....19..... is a Ukrainian Catholic community within the Eparchy of Ss Peter and Paul of Melbourne for the Ukrainian Catholics in Australia, New Zealand and Oceania. Out of love of God, we exercise the sacramental, pastoral, and prophetic functions of a fully constituted parish, with a unique population that calls for special emphasis on the following goals:

- To bear individual and collective witness to the gospel and to be a visible presence of the Ukrainian Catholic faith in action, in words and deeds, and to offer its members support in doing so.
- To pray, cooperate and dialogue with Christians and members of other religious groups in serving the needs of parishioners and in offering a common witness to truth and justice.
- To be hospitable and helpful to parishioners and visitors away from home and to provide a place where those in need (spiritual, material, or emotional) will find support and assistance, and/or help beyond the parish.
- To be an inclusive community in which men and women of all nations, parishioners and seekers of God of all ages are welcome, are heard, share their faith and examine how it relates to their particular lives and times as an integral part of our community life.

We believe this vision statement to be a living document when all members of the Ukrainian Catholic Parish reflect regularly on its meaning and collectively take action.

# **APPENDIX B: THE PARISH COUNCIL COMMITTEES OF UKRAINIAN CATHOLIC CHURCH**

## **1. General**

- 1.1 Every committee chairperson is responsible for recruiting members of his/her committee. The help of many people is suggested for each committee.
- 1.2 Each committee chairperson shall review the Parish Vision Statement with his/her committee members on an on-going basis.
- 1.3 Each committee chairperson will provide a statement of priorities and a proposed budget as part of the annual budget discussions within the parish.
- 1.4 Each committee chairperson is responsible for keeping accurate records of the disbursement of funds for his/her committee. In addition to keeping the treasurer informed of disbursements, as they are made, each committee chairperson is responsible for having their committee operate within its budget.
- 1.5 The chairpersons of each standing committee are expected to make a report of the activities of their committee at the regular meetings of the parish council.
- 1.6 It is the responsibility of the chairpersons of all parish committees to keep the pastoral team informed of their activities and plans for future programmes.

## **2. Liturgy Committee:**

- 2.1 The Liturgy Committee consists of its chairperson, the parish priest/administrator as ex-officio member and interested members of the parish. The committee is responsible for the facilitating of the liturgical life of the community. With this in mind, the function of the committee should be to reflect and actively bring to life scripture for the faith community. It should strive to ensure that the liturgies are inclusive of all the faithful. It facilitates and co-ordinates all liturgical ministries such as the choir and other associated liturgical activities deemed appropriate by the committee and council.
- 2.2 The committee shall be responsible for the upkeep, replenishment and purchases of liturgical supplies and furnishings. Large expenditures beyond the budget must be submitted to council for approval.

## **3. Publications and Public Relations:**

- 3.1 The function of this committee is to increase the awareness of the Church and Parish Council. It was established to serve and is responsible for:
  - production of the weekly bulletin
  - assembling and maintaining an annual list of all parishioners.
  - advertising in the parish bulletin events within the parish and the community.
  - coordination of the outreach to new students each fall, especially during orientation week.

## **4. Peace and Social Justice:**

- 4.1 The Peace and Social Justice Committee serves as a forum for gathering ideas concerning ways to achieve peace and social justice, and as a tool for investigating

the various problems which afflict our world. This may include the promotion of the annual Lenten campaign and social justice involvement in community events through which members of the parish participate in local social action. The mandate of the committee is to invite the parish to act in responsible ways to attain peace and social justice.

## **5. House Maintenance:**

5.1 This committee is responsible for:

- ensuring that the church grounds and property is kept clean and in good repair.
- organizing a roster of people willing to do weekly housekeeping and buying the supplies necessary for such housekeeping.
- making recommendations to the Finance Committee with respect to major renovations and then overseeing all work which is approved.

## **6. Social:**

6.1 The goal of the Social Committee is to create an atmosphere of hospitality within the Parish. This committee is responsible for the organization of events such as: parish suppers, seasonal parties, post liturgical celebrations (on Sundays and major holidays), orientation events and coffee houses.

## **7. Finance:**

7.1 This committee has the responsibility for assisting the parish priest in carrying out the material administration of the parish under the general guidelines established within the Eparchy. Its functions include:

- At the January meeting of council, to recommend an annual parish budget for approval by the council. In drawing up this budget, the committee shall consult in December with the pastoral team, the pastoral team and the standing committees of the parish.
- After the first meeting of the incoming council, to consider the budgetary implications of proposals made by the incoming council and to recommend appropriate changes to the parish budget.
- At other times, to provide council with an opinion on the financial feasibility of proposals involving major expenditures.
- In September of each year, to provide parishioners with an annual report of the financial state of the parish, and with statements at other times as deemed necessary.
- To review periodically the income and expenditures of the parish to determine that the budget is operative. If expenditures within a given category are likely to be significantly over-budget, to notify the Finance Council. In any such category, specific authorisation is required from the Finance Council before further expenditures are made.

# APPENDIX C: BUILDING GUIDELINES

*Subject to adhering to Local Government laws:*

## 1. New Construction

- 1.1 The parish priest shall meet with the Parish Council to discuss the necessity of the proposed building and a building committee shall be formed.
- 1.2 The parish priest/administrator together with the Parish Council and/or building committee shall study the feasibility of the project, taking into account the financial situation of the parish, zoning requirements, legal, Council and Statutory Authority requirements.
- 1.3 All preliminary information shall be presented to the Eparch for his written permission to proceed with specific details of the project.
- 1.4 Once this permission is received, the parish priest/administrator and the Parish Council (or the building committee, if one exists, or one that is in the process of being formed), shall proceed with a more formal proposal outlining projected costs and the selection of an architect.
  - At least three candidates should be interviewed.
  - The recommended architect's name is then submitted to the Eparch for his approval.
  - If approved, the parish priest/administrator may then hire the architect; if denied, the interview process must begin again so that another choice may be presented.
- 1.5 The architect shall review the Parish Council's (or committee's) proposal and then prepare design documents or preliminary drawings for the Parish Council (or committee).
- 1.6 Upon approval by the parish priest/administrator, a complete set of documents shall then be presented to the Parish Council (or committee).
- 1.7 After the Parish Council (or building committee) has reviewed the drawings, written recommendations shall be sought from the Eparch.
- 1.8 Once written approval has been received, the architect may proceed by preparing design development documents and the parish priest/administrator and the Eparch must approve these.
- 1.9 Having received the necessary approvals, the architect then prepares construction documents, "working drawings" and an itemised statement of costs.
- 1.10 With the endorsement of the parish priest/administrator and the building committee (or Parish Council if none exists), permission must once again be sought from the Eparch.
- 1.11 When the necessary permission has been granted, the construction tender phase begins:
  - The architect shall:
    - assist in the preparation to arrange tenders for construction.
    - assist in attaining at least three tenders and
    - he shall summarise and submit recommendations
  - The chosen contractor must be bonded and must provide a performance bond and a maintenance bond for at least a one year period.
  - The approval of the Eparch must be secured in writing.
- 1.12 The construction shall proceed as follows:

- The parish priest/administrator shall require from the contractor construction insurance covering both the parish and the Eparchy.
- The architect shall provide administration of the contract and will represent the parish and the Eparchy.
- The architect will regularly visit the job site and report on progress.
- The architect will determine the schedule of payments to the contractor.
- The architect is bound to report work not conforming to the specifications of the contract.
- The architect will answer and mediate disputes in the field between owner, contractor and subcontractor(s).

1.13 After construction the following must be accomplished:

- The architect must obtain all necessary inspections and certificates for occupancy from the local government.
- During the contractor's one year guarantee period, the architect must be available for consultation regarding use and operation of the facility.
- The architect shall conduct regular inspections during the guarantee period to determine if guaranteed items need attention, and supervise their correction by the contractor or other responsible party.

## **2. Building Remodelling**

2.1 Remodelling which involves substantive physical construction must follow the procedure for building guidelines.

2.2 Remodelling which changes the use of an area, or involves worship space, requires prior written approval of the Eparch.

## **3. Building Demolition**

3.1 The approval of the chancery must be obtained for the planned demolition of any structure.

3.2 The Demolition Contractor must obtain all necessary permits prior to commencement.

3.3 The parish priest/administrator must secure demolition insurance from the contractor.

## **APPENDIX D: NORMS GOVERNING THE ESTABLISHMENT AND OPERATION OF PARISH FINANCE COMMITTEES IN THE EPARCHY OF SS. PETER AND PAUL IN ACCORDANCE WITH CCEO CAN. 295**

In order to better provide for the principles of co-responsibility and accountability so highly esteemed in the Post-Conciliar Church I hereby issue the following statutes for Parish Finance Committees:

1. Every parish in the Eparchy shall have a Finance Committee as part of the Parish Council. The Parish Treasurer will be an ex-officio member of the Parish Council.
2. The Finance Committee will act as an Advisory Board to the Parish Priest in all cases except where specific exceptions apply.
3. Members of the Committee shall be selected and appointed by the Parish Priest.
4. The Finance Committee should consist of at least three, but not more than seven of the faithful. They should be skilled in financial matters, be familiar with the law and be persons of integrity.
5. The term of appointment of members should be for two years with an option of a further two years.
6. The Parish Priest shall preside at meetings of the Finance Committee.
7. Full minutes of each meeting should be kept.
8. It is recommended that two to four meetings be held each year.
9. When a new Parish Priest is appointed, the existing Committee continues in office for six months. A New Committee is then appointed.
10. The Committee should assist the Parish Priest to keep the financial records of the parish up to date and to keep the parishioners informed.
11. The Committee should assist the Parish Priest to prepare a budget each year and to offer advice on appropriate means of financing the Parish.
12. The Committee should assist the Parish Priest to obtain quotes for building projects in the parish and offer advice as to the suitability of tenders.
13. Every parish in the Eparchy must set up a simple but efficient accounting system complying with applicable Accounting Standards.
14. The accounting system should be uniform in each parish of the Eparchy and all accounting records should be computerised.
15. The accounting records should be capable of being audited and financial statements should be produced on a regular basis.
16. Transactions involving Trust Funds should be maintained separately from other parish transactions and a separate Trust Bank Account should be opened.
17. The accounting system should make for differentiation of parish income which consists of:
  - 17.1 Recurring Income
  - 17.2 Non-Recurring Income:
    - Testamentary Bequests without any conditions imposed by the Testator;
    - Testamentary Bequests for special purposes dedicated by the Testator (Holy Liturgies, education of priests etc.)

**Please Note:** Stole fees comprising Divine Liturgies, funerals, baptisms and marriages are the personal income of the priests.

18. In matters of extraordinary administration, alienation or leasing, the following guidelines of the Australian Episcopal Conference must be observed:

## 1. Alienation and Acts of Extraordinary Administration

In order to take account of CPI rises, the Eparch shall from time to time issue guidelines for acts of extraordinary administration and alienation. Please consult the Eparch for these guidelines.

To ensure all Parishes have appropriate sign off procedures in place regarding \$5,000.00 emergency expenditure, there shall be directives issued by the Eparch from time to time which must be strictly observed.

### GUIDELINES FOR ACTS OF EXTRAORDINARY ADMINISTRATION AND ALIENATION

AMOUNT	PARISH PRIEST FINANCE C/TEE	EPARCH
Up to \$5000.00	Priest may act alone This is classed as ordinary administration	
\$5,000 - \$10,000.00	Consult Parish Finance C/tee Consult Parish Council	
\$10,000 - \$74,454	Consult Parish Finance C/tee Consent of Eparch	Acts alone in giving consent
\$74,454 - \$186,136	Consent of Parish Finance C/tee Consent of Eparch	Consent of Eparchial Finance C/tee and of Consultors
\$186,136 - \$3,723,000	Consent of Parish Finance C/tee Consent of Eparch	Consent of Eparchial Finance C/tee and of Consultors
Over \$3,723,000	Consent of Parish Finance C/tee Consent of Eparch for all acts of alienation	Consent of Eparchial Finance C/tee and of Consultors and of Apostolic See

July 200 figures

"Alienation" applies not only to selling but also to purchase of goods.

Refer to Eparch for current figures.

## 2. Leasing of Ecclesiastical Goods

All leases of ecclesiastical goods must be drawn up in accordance with the norms of civil law. Except when the lease is to a body engaged in the apostolate, the monetary consideration should approximate to the ruling market value.

Leases require the consent of the competent authority mentioned in CCEO Cann.. 1035-1041.

## 3. Sale of Church Properties or Possessions or Sacred Objects

Contact the Eparch for guidelines.

## **APPENDIX E: STATUTES FOR PRESBYTERAL COUNCIL**

### **1. Purpose of the Presbyteral Council**

- 1.1 The Presbyteral Council is a group of priests established in the Eparchy to represent the presbyterate. (CCEO Can. 264)
- 1.2 It is the prime advisory body of the Eparch who presides over it. From the Presbyteral Council he hears the views of the priests and discusses with them the pastoral needs and good of the Eparchy together with questions raised by himself or the priests. (CCEO Can. 269)
- 1.3 The Presbyteral Council shall fulfil its role according to the Code of Canons of the Eastern Churches.
- 1.4 In matters of serious moment and matters indicated in law, the vote of the Presbyteral Council is consultative, not deliberative. (CCEO Can. 269) However, in those instances foreseen in law, the Eparch must first consult the Presbyteral Council before proceeding.
- 1.5 As the consultative body of the Eparch, the Presbyteral Council hears and listens to other Eparchial bodies, including the Eparchial Pastoral Council, (CCEO Can. 272) the Eparchial Finance Council (CCEO Can. 263) and other Eparchial bodies established for the purpose of promoting pastoral care within the Eparchy.
- 1.6 The Presbyteral Council will have a concern for the life and ministry of the priests and will be involved in promoting means of ongoing support, further education and mutual support.
- 1.7 The Presbyteral Council shall have an Executive appointed from the Eparchial Council by the Eparch.

### **2. Membership and Terms of Office**

- 2.1 Those eligible to vote and become members of the Presbyteral Council are all priests enrolled in the Eparchy and members of Religious Institutes and Societies of Apostolic Life exercising some office for the benefit of the Eparchy.
- 2.2 When the See is vacant, the Presbyteral Council lapses and its functions are fulfilled by the College of Consultors (CCEO Can. 270)
- 2.3 The number of members of the Presbyteral Council will be six (6)
- 2.4 They will be selected as follows:
  - Two will be elected by the priests eligible to vote.
  - Two will be appointed by the Eparch
  - Ex officio members will be the Protosyncellus and Chancellor
- 2.5 Term of office
  - Elected and Appointed members will serve a five (5) year term
  - The “ex officio” members will serve only for the length of their term in office.
  - If any member dies, or retires from the Presbyteral Council for any reason before the expiration of his term, the Eparch shall appoint a replacement if this member was appointed. If the member was elected, an election must be held to replace him. This new priest member stays as a member of the Presbyteral Council for the duration of the uncompleted term.
- 2.6 Election:



- The election of members will be conducted by the Eparch or a priest whom he may appoint for this purpose.
- The election of members will be by simple majority of those voting.

### **3. Officers**

- 3.1 At the first meeting each year, the Presbyteral Council will elect a Chairman and Secretary who, with the Eparch and Protosyncellus, will comprise an Executive Committee. The Executive Committee will determine the Agenda for Presbyteral Council meetings.
- 3.2 Another priest may be co-opted to join the Executive Committee.

### **4. Meetings**

- 4.1 The Presbyteral Council will ordinarily meet two (2) times a year.
- 4.2 The Eparch convokes the Presbyteral Council and presides at its meetings. The elected Chairman will conduct the meetings.
- 4.3 The Presbyteral Council may not act apart from the Eparch, but, with his consent, may meet in his absence.
- 4.4 Where the Eparch has reserved specific items as confidential, such items may not be discussed outside the meeting or published without his approval.

### **5. Competence**

- 5.1 CCEO specifies five circumstances in which the Eparch requires the consultation of the Presbyteral Council.
- 5.1.1. when holding an Eparchial Synod (CCEO Can. 236)
  - 5.1.2. in the establishment, dissolution and alteration of parishes (CCEO Can. 280 #2)
  - 5.1.3. when deciding regulation concerning the destination of offerings given on the occasion of pastoral functions and the provision of remuneration of the clerics fulfilling such pastoral functions (CCEO Can. 291, Can. 390)
  - 5.1.4. the permitting of a church building to be no longer used for religious but for secular purposes (CCEO Can. 873 #2)
  - 5.1.5. for the involuntary removal or transfer of a parish priest, the Eparch is required to discuss the situation with two parish priests from the group established for this purpose. The Presbyteral Council at the proposal of the Eparch establishes this group of more than two. (CCEO. Can. 1391)
- 5.2 CCEO contains two general references where the Presbyteral Council advises the Eparch:
- 5.2.1 The Presbyteral Council's role shall be to assist the Eparch in accordance with the law, in the governance of the Eparchy, so that the pastoral welfare of that portion of the People of God may be effectively promoted (CCEO Can. 264)
  - 5.2.2 the Eparch shall consult the Presbyteral Council in matters of serious moment (CCEO Can. 269 #2)

## **6. The Statutes of the Presbyteral Council**

- 6.1 The Statutes may be revised from time to time and must be approved by the Eparch
- 6.2 These Statutes shall keep in mind the special relationship between the Presbyteral Council and the College of Consultors.
- 6.3 The Presbyteral Council will make periodic evaluations of its responsibilities, operations and decisions in the light of these statutes.

# APPENDIX F: STATUTES FOR THE COLLEGE OF CONSULTORS

## 1. Nature of the College of Consultors

The College of Consultors is a group of priests who act as official advisors to the Eparch in certain matters pertaining to the administration of the Eparchy and also as a governing board of the Eparchy when the Eparchial See is vacant or impeded through the inability of the Eparch to communicate with his Eparchy. (CCEO Can. 271)

## 2. Membership and terms of office

2.1 The number of college members shall be six (6).

2.2 Selection: The six members of the Presbyteral Council will automatically form the College of Consultors.

2.3 Term:

- Consultors serve as a body for a five (5) year term. The College remains in office until a new College is formed (CCEO Can. 271 #22)
- Resignation from the Presbyteral Council automatically implies resignation from the College of Consultors.
- The priest retiring will be replaced on the College of Consultors by his successor on the Presbyteral Council.

## 3. Officers

3.1 The Eparch is president of the College of Consultors (CCEO Can. 271 #5) If it is the wish of the Eparch a Chairman can be selected to manage the operations of the College.

3.2 If the Eparchy is vacant or impeded it is presided over by the one who, in the interim, holds the place of the Eparchial Bishop or, if no one is delegated, by the priest of the college who is senior by sacred ordination. (CCEO Can. 271 #5)

3.3 There shall be a Secretary of the College of Consultors who shall be selected from the College by election. The election is by simple majority vote.

## 4. Meeting of the Consultors

4.1 The College of Consultors meets on the invitation of the Eparch or his nominated deputy.

4.2 If Canon Law requires the consent of the College of Consultors for an action to be valid, the matter must be considered formally at a meeting of the College (CCEO Can. 934), the Eparch is not able to break a tie when consent is required.

4.3 If Canon Law requires the advice or consultation of the Consultors an actual meeting is desirable. If this is not possible, consultation by Tele-conference is permitted so as to maintain the collegial nature of the consultation. If this is not possible, necessity may dictate consultation by mail.

## **5. Competence**

- 5.1 As advisers to the Eparch, the College may be consulted when the Eparch deems it necessary to transfer priests in the Eparchy. The Eparch may choose, on occasion, not to follow this course.
- 5.2 As advisers to the Eparch, the College should be consulted:
- to give advice:
    - in acts of administration which are of major importance (CCEO Can. 1031)
    - in the appointment and removal of the Financial Officer of the Eparchy (CCEO c. 262)
  - to give consent:
    - for acts of extraordinary administration (CCEO Can. 1031)
    - for the alienation of Eparchial property, within the limits set by the Australian Catholic Bishops Conference (CCEO Can. 1036)
- 5.3 As a governing board the College has the following functions:
- to receive the letters of canonical provision of a Coadjutor bishop (CCEO Can. 214 #2)
  - when the Eparchy is impeded, the College must elect a priest who must govern the Eparchy if no other arrangements have been made.
  - when the Eparchy is vacant due to the death of the Eparch, the College must elect an administrator of the Eparchy within eight days (CCEO Can. 221.3)
  - the College fulfils the role of the Presbyteral Council during the vacancy (CCEO Can. 270)
  - after a year of vacancy, to consent to the Eparchial Administrator's ability to permit excardination, incardination or transfer to another particular Church (CCEO Can. 363)

## **6. Adoption and amendment**

- 6.1 These statutes shall be adopted by vote of the College and approval of the Eparch.
- 6.2 These statutes may be amended by vote of the College and action of the Eparch.

# APPENDIX G: RECOURSE AVAILABLE AGAINST HARMFUL DECISIONS OF THE CLERGY

There is no appeal against the sentences of the Second Section of the Signatura. There is however the possibility of “**Beneficium Novae Audientiae**” the benefit of a new hearing by the Pope who is most unlikely to overturn what has been done in his name at a lower level.



If the answer is not satisfactory, it is possible to have recourse to the **Second Section of the Signatura** on the question of the legality of the actions of the superior.



Depending on CCEO Can. 1004 the next recourse could be to the **Congregation for the Oriental Churches** or to the **Major Archbishop**.



**Direct appeal to the Eparch** must be made within a time period of 15 days. The Eparch can suspend the execution of the decree, revoke it or amend it. The Eparch has 60 days in which to respond. No response at the end of this period is regarded as a negative response and gives right to further recourse.

Petition in writing within 10 days to **author of decree** to revoke or change the allegedly harmful decree. This petition is understood to seek a suspension of the decree.



Rather than take the dispute through all the legal channels, it is recommended at this point that more equitable solutions be sought through processes of mediation between the parties.



**Decree which allegedly harms the rights of an individual**

# APPENDIX H: ADMINISTRATIVE RULES OF THE CLERGY WELFARE FUND OF THE TRUSTEES OF THE UKRAINIAN CATHOLIC CHURCH IN AUSTRALIA, EPARCHY OF ST PETER & PAUL OF MELBOURNE

## 1. Establishment

- 1.1 The Eparch has established a fund to provide such social welfare, maintenance, necessities of life and relief from poverty as Clergy may need in infirmity, sickness, incapacity, old age or other necessitous circumstances.
- 1.2 The fund shall be entitled the "Clergy Welfare Fund" ("the Fund")
- 1.3 The fund shall be administered by the Advisory Committee of the Clergy Welfare Fund ("the Advisory Committee").

## 2. Definitions

- 2.1 In the interpretation of these Administrative Rules unless inconsistent with the context:
  - 2.1.1 "Accounting Period" means the twelve month period or such shorter period as from the date of commencement of the Fund ending on the 30th day of June of each year or such substituted Accounting Period as may be determined by the Advisory Committee.
  - 2.1.2 "The Eparch" means a person who has been validly and duly appointed to that position in accordance with the rituals and customs of the Ukrainian Catholic Church, and includes any person acting or deputising in his stead during any illness or absence.
  - 2.1.3 "The Eparchy" shall mean the geographic territories of Australia, New Zealand and Oceania.
  - 2.1.4 "The Chairman" means the person who has from time to time been duly elected to the office of Chairman of the Advisory Committee.
  - 2.1.5 "The Advisory Committee," means the Advisory Committee for the time being of the Fund constituted in accordance with the provisions of these Administrative Rules.
  - 2.1.6 "Clergy" for the purposes of these administrative rules shall mean Priest or Deacon or Religious
  - 2.1.7 "Priest" means a person who has been validly and duly ordained to priesthood in accordance with the rituals and customs of the Ukrainian Catholic Church.
  - 2.1.8 "Deacon" This is the third rank among the clergy after the Eparch and presbyter. While eparch and presbyter are ordinarily referred to as "priests," such is not the case in so far as deacon is concerned. There are permanent deacons, ie., those who will not be seeking ordination to the priesthood, and deacons on the way to the priestly ordination. These Statutes apply to permanent deacons.
  - 2.1.9 The designation "Religious," refers to a woman or man who has taken simple or solemn vows and who belongs to a religious community or Order.
  - 2.1.10 "Retired," in relation to a Priest/Deacon/Sister, means a Priest/Deacon/Sister who has either attained the age of 75 years or any lesser age and, in either case, has retired from performing his/her duties with the consent of the Eparch, or who is suffering from sickness, incapacity or infirmity; or who pursuant to a determination made by the Eparch or by the Advisory Committee in his or its absolute discretion is suffering from temporary sickness, incapacity or infirmity.

- 2.1.11 "The Secretary" means the person who has from time to time been duly elected to the office of Secretary of the Advisory Committee by the members of the Advisory Committee.
- 2.2 Words importing one gender shall include the other and words importing the singular number shall include the plural and vice versa.

### **3. Objects**

- 3.1 The objects for which the Fund is established are:-
- 3.1.1 To provide social welfare, maintenance, necessities of life and relief from poverty by means of financial assistance, insurance or by any other means to Retired Clergy;
- 3.1.2 To raise money by all lawful means and to collect funds and to solicit and accept financial and other aid, subscriptions, donations and bequests from any source and to conduct public fund raising activities;
- 3.1.3 To take all other measures incidental or conducive to the attainment of the above objects.
- 3.2 For the purpose of carrying out the objects set out in clause 3.1, the Advisory Committee shall have power:
- 3.2.1 To invest any money forming part of the Fund in any investment by law authorised for the investment of trust moneys;
- 3.2.2 To do all things necessary to achieve the objects of the Fund including the purchase of real estate, leases over real estate, insurance policies, annuities, pensions or other financial instruments for the furtherance of the objectives of the Fund.
- 3.2.3 To receive any distribution under any trust instrument or will or other testamentary instrument or act or out of any other trust fund and to treat such distribution as income or as capital any amount or property whether such amount or property constitute capital or income under such other trust instrument or in such other trust fund or was distributed to the Fund by the trustee of such trust instrument or trust fund as capital or income;
- 3.2.4 To give effectual receipts and discharges for any moneys received by or on behalf of the Fund or otherwise relating to any of the acts, matters and things provided for in these Administrative Rules;
- 3.2.5 In the event of any probate, succession, estate or other duties, fees or taxes becoming payable in any part of the world in respect of the Fund or any part thereof on the death of any person at the Administrative Committee's absolute discretion to pay all or any part of such duties, fees and taxes out of the Fund notwithstanding that the same are not or may not be recoverable from the Fund by legal process in the place where the same become payable;
- 3.2.6 To make donations to any fund, authority or institution approved by the Commissioner of Taxation as a fund, authority or institution referred to in Section 50 of the Income Tax Assessment Act 1997;
- 3.2.7 To act as trustee of separate endowed or perpetual trusts for the benefit of the Fund;
- 3.2.8 To undertake all such other lawful acts and things as are incidental to or conducive to the attainment of the purposes of the Fund and the exercise of the powers of the Foundation.
- 3.3 Without prejudice to the generality of the provisions of clause 3.1, the objects for which the Fund is established shall include the object of providing financial assistance to any fund, authority or institution within the Eparchy approved by the Commissioner of Taxation as a fund, authority or institution referred to in Section 50 of the Income Tax Assessment Act 1997.

## **4. Commencement**

4.1 The Fund shall commence on the date nominated by the Eparch.

## **5. Committee**

5.1 The management of the Fund shall be vested in the Advisory Committee which shall be constituted in accordance with these Administrative Rules which shall control and manage the Fund and may, subject to these Administrative Rules, perform all such acts as appear to the Advisory Committee to be necessary for the proper management of the Fund.

## **6. Term of Office**

6.1 A member appointed by the Eparch shall hold office for three (3) years and is eligible for reappointment.

6.2 A member elected by the Clergy shall hold office for three (3) years, but shall not be eligible for reappointment until the expiry of three years.

## **7. Appointment and Removal of Committee Members**

7.1 The Advisory Committee at any time shall consist of three Clergy and two lay persons who reside permanently within the Eparchy and who, because of their tenure of some public office or their position in the community have a degree of responsibility to the community, as a whole and or have special skills and training commensurate with the role of the Advisory Committee.

7.2 Nominations of candidates for election as members of the Advisory Committee shall be made in writing signed by two Clergy in a form approved from time to time by the Advisory Committee and accompanied by the written consent of the candidate and shall be delivered to the Secretary not fewer than thirty days before the day fixed for the holding of an election.

7.3 If the number of nominations to the Advisory Committee received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.

7.4 If the number of nominations to the Advisory Committee exceeds the number of vacancies to be filled, a secret ballot shall be held in such usual and proper manner as the Eparch may direct, provided that votes shall be cast only by Clergy personally present at a duly convened meeting.

7.5 For the purposes of these Administrative Rules, the position of a member of the Advisory Committee becomes vacant if the member dies, becomes disabled, ceases to be Clergy, resigns his membership by writing under his hand to the Secretary or is removed by the Eparch pursuant to clause 7.10 or, in the case of a lay person, ceases to permanently reside in the Eparchy.

7.6 If a vacancy occurs on the Advisory Committee, the remaining members shall as soon as possible thereafter appoint a person who has first been approved in writing by the Eparch to fill the vacancy and such person shall have the rights, powers, duties and obligations of a member of the Advisory Committee under these Administrative Rules as from the date of his appointment.

7.7 Any person becoming a member of the Advisory Committee may accept the account rendered and the property delivered to him by his predecessors in office without being bound to enquire further as to the assets of the Fund, and any person



ceasing to be a member of the Advisory Committee may be given a full and complete discharge from all obligations in relation to the Fund.

- 7.8 All lay persons nominated as members of the Advisory Committee must first be approved by the Eparch by instrument in writing. The Eparch shall be entitled by instrument in writing from time to time to remove any member of the Advisory Committee.

## **8. Chairman**

- 8.1 There shall at all times be a Chairman of the Advisory Committee who must be Clergy.
- 8.2 The Chairman shall be appointed from amongst those members of the Advisory Committee who are Clergy by a majority of the members of the Advisory Committee present and voting at a meeting of members.
- 8.3 A nominee for the position of Chairman shall not be eligible to vote on his own election.
- 8.4 The Chairman shall be appointed for a three (3) year term or until his term of office expires.
- 8.5 The Chairman shall not be eligible for re-election to the office of Chairman at any time following the termination of his term as Chairman, but shall be eligible for election to the Advisory Committee.

## **9. Secretary**

- 9.1 There shall at all times be a Secretary of the Advisory Committee who shall be elected by the members of the Advisory Committee. A nominee for the position of Secretary shall not be eligible to vote on his own election. The Secretary shall be appointed for a three year term or until his term of office expires and shall be eligible for re-election for a second or subsequent term.

## **10. Proceedings of the Advisory Committee**

- 10.1 The Advisory Committee shall meet together for the despatch of business at least twice per year at such place and at such times as the Advisory Committee may determine.
- 10.2 Meetings of the Advisory Committee may be convened by the Chairman or any three members of the Advisory Committee.
- 10.3 Notice of a meeting shall be given to all members of the Advisory Committee specifying the general nature of the business to be transacted.
- 10.4 Subject to Administrative Rules, questions arising at a meeting of the Advisory Committee shall be decided by a majority of votes of members of the Advisory Committee present and voting and any such decision shall for all purposes be deemed a decision of the Advisory Committee.
- 10.5 In the case of an equality of votes, the Chairman or other person presiding in addition to his deliberative vote shall have a casting vote.
- 10.6 At a meeting of the Advisory Committee the number of members of the Advisory Committee whose presence is necessary to constitute a quorum is such number as is determined by the Advisory Committee from time to time and unless so determined is 4.
- 10.7 No business shall be transacted at a meeting of the Advisory Committee unless a quorum is present. If within half an hour of the time appointed for the meeting a

quorum is not present the meeting shall stand adjourned to such other place and time as the meeting may determine.

- 10.8 At meetings of the Advisory Committee, the Chairman or, in his absence, such other member of the Advisory Committee as may be chosen by the members present shall preside.
- 10.9 In the event of a vacancy or vacancies on the Advisory Committee, the remaining members of the Advisory Committee may act but if the number of remaining members is not sufficient to constitute a quorum at a meeting of the Advisory Committee they may act only for the purpose of increasing the number of members of the Advisory Committee to a number sufficient to constitute a quorum.
- 10.10 The Advisory Committee shall keep minutes of all meetings of the Advisory Committee and in particular shall ensure that all determinations as to benefits to be provided to Clergy are recorded.
- 10.11 At all times, the Advisory Committee may delegate all or any of the powers, discretions and authorities hereby conferred on it to a subcommittee and in the event of a disagreement between the members of the Advisory Committee the decision of the majority of the members shall be deemed to be the decision of the Advisory Committee. In the event of deadlock, the matter shall, if any member of the Advisory Committee so requires, be referred to the Eparch whose decision shall be final and binding on the Advisory Committee.
- 10.12 All deliberations by any meeting of the Advisory Committee or of a subcommittee of its members or by any person acting as a member of the Advisory Committee shall, notwithstanding that it be afterwards discovered that there was some defect in the appointment of any member or of any such person acting as aforesaid, or that he was disqualified, shall be deemed as valid as if every such person had been duly appointed and was qualified to be a member of the Advisory Committee.
- 10.13 The Advisory Committee may, with the prior consent of the Eparch, publish General Guidelines as to the administration of the fund and of benefits that may be applicable in specific circumstances.

## **11. Custodian Trustee**

- 11.1 The Advisory Committee may appoint, with the prior written approval of the Eparch, a Custodian Trustee in whom all assets of the Fund shall be vested, and such appointment shall remain in force until it is revoked by further resolution of the Advisory Committee with the prior written approval of the Eparch.

## **12. Residences for Retired Clergy**

- 12.1 The Advisory Committee may from time to time recommend to the Eparch the purchase of freehold or leasehold lands and the erection thereon of residences suitable for occupation by unmarried Retired Clergy, or the acquisition by purchase or taking on lease of such residences. All such residences shall be vested in the Custodian Trustee in trust for the Eparchy, and the Advisory Committee may provide some or all of the necessary purchase moneys out of the Fund.
- 12.2 The Advisory Committee shall be responsible for and shall undertake the management of and maintenance of the said residences, including but not limited to the purchase and maintenance of all necessary and reasonable furniture, furnishings, electrical equipment, bedding, linen, blankets and bed coverings, cooking utensils, crockery, cutlery and other necessary contents to make the said accommodation comfortable and as may be required by the individual occupants thereof and will provide and pay the reasonable and approved costs of all the

necessary electric power gas and/or oil services where necessary and telephone rental and any rental in respect of properties taken on tenancy or lease and shall also pay and keep on foot all necessary insurance premiums to keep the buildings insured against fire, storm and tempest public risk and workmen's compensation and such other risks as it may decide and will pay all rates taxes and other usual outgoings in respect of the properties and any other outgoings as the Advisory Committee in its absolute discretion decides to pay and keep the same at all times painted and in good repair, order and condition and the grounds neat and tidy and to replace all furniture and furnishings and other contents of buildings as the need may be. The Advisory Committee may in its discretion and from time to time make rules and regulations relating to the occupancy of any such property by Retired Clergy, and stipulate the terms and conditions of such occupancy. Retired Clergy occupying any such property shall not be required to contribute anything towards the cost of the matters and objects referred to in this clause nor shall he be required to pay any rental for the same provided, however, that all such properties and contents thereof shall at all times remain the property of the Foundation.

12.3 Any residence so acquired by the Advisory Committee shall be situated within the Eparchy.

12.4 The Advisory Committee may allow Retired Clergy to live in a residence of his choice not owned or managed by the Advisory Committee and may enter into occupation agreements with the proprietors of any such residence containing such terms and conditions as to the duration and payment of expenses as the Advisory Committee in its discretion may determine having regard to the circumstances of each case and to the special needs of any relevant Retired Clergy. The Advisory Committee may from time to time in its absolute discretion allocate accommodation in any residence managed by the Advisory Committee pursuant to the provisions of this clause to Retired Clergy who in the opinion of the Advisory Committee is in necessitous circumstances and in need of financial assistance in order to be relieved from poverty and to lead a decent life.

12.5 Subject to the provisions of Clause 15.2.2, if any residence owned by the Fund is, in the reasonable opinion of the Advisory Committee, no longer required for the purpose of providing accommodation for Retired Clergy, the Advisory Committee shall recommend to the Custodian Trustee that such residence be sold and the proceeds of sale thereof shall belong to the Fund for its general purposes.

## **13. Sustenance**

13.1 The Advisory Committee shall apply so much of the income and capital of the Fund as it may in its absolute discretion from time to time consider appropriate to provide for the social welfare and for the reasonable requirements of Retired Clergy who in the absolute discretion of The Advisory Committee are in necessitous circumstances and in need of financial assistance in order to be relieved from poverty and to lead a life in dignity.

13.2 The Advisory Committee shall have absolute power to decide on the amount of such assistance and on the period of time during which such assistance is to be furnished.

13.3 The assistance may be provided in such manner as the Advisory Committee may consider appropriate in each case and (without limiting the generality of the foregoing) may include the payment of hospital and medical expenses, the provision of ecclesiastical or domestic assistance, the payment of living expenses or of a stipend or other regular sum of money to relieve poverty, or otherwise assist the Retired Clergy.

- 13.4 The Advisory Committee shall further apply so much of the income and capital of the Fund as it may in its absolute discretion from time to time consider appropriate to provide assistance (hereinafter called a sickness benefit"), in the amounts and in the manner hereinbefore specified, to Clergy who are evaluated by the Advisory Committee to be suffering from temporary sickness incapacity or infirmity.
- 13.5 The following provisions shall apply to any sickness benefit to be granted to Clergy suffering from temporary sickness incapacity or infirmity:
- 13.5.1 An applicant for a sickness benefit shall furnish to the Advisory Committee a certificate of inability to carry out his duties for the period specified, such certificate to be given by a medical practitioner approved by the Advisory Committee.
- 13.5.2 All applications for a sickness benefit shall be lodged with the Secretary within six calendar months of the first day of any period for which the benefit is applied for, provided always that it shall be in the discretion of the Advisory Committee to grant an extension of time in a particular case.
- 13.5.3 The Advisory Committee shall meet at such intervals as it considers appropriate to evaluate applications.
- 13.5.4 The decision of the Advisory Committee in respect of all applications shall be final.

## **14. Indemnity**

- 14.1 The members of the Advisory Committee from time to time and each of them, shall be exonerated from and indemnified against liability for loss of funds, provided that such loss has not been occasioned by wilful neglect or dishonesty.

## **15. Moneys Received by the Fund**

- 15.1 The funds of the Fund shall be derived from donations and such other sources as the Advisory Committee determines.
- 15.1.2 If any such moneys are expended in or towards the purchase and acquisition of residences for Retired Clergy, the Advisory Committee will cause appropriate entries to be made in its accounts and in the minutes of its proceedings to that effect, and will cause the Custodian Trustee to do likewise. Upon the sale of any such residence, the net proceeds of sale thereof or so much thereof as was contributed from the separate fund referred to in paragraph 15.2.1 shall revert to the Fund for the promotion of its objects.
- 15.1.3 Upon the winding up of the Fund, all moneys then remaining in the said separate fund shall be given or transferred to such institution or institutions within the Eparchy as may be nominated by the Eparch and which are funds, authorities or institutions approved by the Commissioner of Taxation as funds, authorities or institutions referred to in Section 50 of the Income Tax Assessment Act 1997,
- 15.2 All other moneys received by or on behalf of the Fund, whether from the Eparch or any other source, as a result of the activities of the Fund shall after meeting collection costs be passed directly to the Fund to be expended for the promotion of the objects of the Fund and no portion of such moneys shall be otherwise applied.

## **16. Accounts**

- 16.1 The Advisory Committee shall keep, or shall cause to be kept, a complete and accurate record of all receipts and expenditures on account of the Fund.
- 16.2 Promptly after the close of each Accounting Period, the Advisory Committee shall prepare, or cause to be prepared, a written accounting report (prepared in accordance with normally accepted accounting procedures) for such period consisting of a balance sheet and statement of income and expenditure and a list of assets held at the close of such year ("the Accounts") and a copy thereof shall be furnished to the Eparch. The Accounts shall show separately endowed and perpetual trust funds and other separate funds which are required to be kept pursuant to these Administrative Rules.

## **17. Audit**

- 17.1 The Eparch shall cause the accounts of the Fund and its operations be audited at least once in every Accounting Period and the Eparch or his delegate shall have complete and unrestricted access to all accounts, documents or other material held in paper or electronic form used by the Advisory Committee in its deliberations.

## **18. Variation of Administrative Rules**

- 18.1 The Advisory Committee may at any time by unanimous decision vary these  
18.2 Administrative Rules, provided that prior written consent of the Eparch has been obtained.

## **19. Winding Up**

- 19.1 Subject to the provisions of clause 15.2 hereof, if upon the winding up or dissolution of the Fund there remains, after satisfaction of all its debts and liabilities, any property whatsoever all such property shall be given and transferred to such institution or institutions within the Eparchy as may be nominated by the Eparch and which are funds, authorities or institutions approved by the Commissioner of Taxation as funds, authorities or institutions referred to in Section 50 of the Income Tax Assessment Act 1997.

# APPENDIX I: THE CONSTITUTION OF THE UKRAINIAN CATHOLIC COUNCIL IN AUSTRALIA (THE EPARCHIAL PASTORAL COUNCIL)

## PREAMBLE

Vatican II, the code of Eastern Canon Law and the Particular Law of the Ukrainian Catholic Church and the Synod of Bishops of the Ukrainian Catholic Church, encourages lay people to become more expressive of their faith, concern for and involvement in the Church. We, the Ukrainian Catholic Council in Australia, representing the Parish Church Committees of Australia, and therefore the laity of the Eparchy, do hereby declare ourselves willing to serve actively in the mission of Our Lord, Jesus Christ, within the Ukrainian Catholic Eparchy of Saints Peter and Paul, Melbourne.

We declare freely and voluntarily to assist the Eparch and all Eparchial organisations as well as all communities and members of our Eparchy in a spirit of unity and cooperation, in the spirit of cooperation in the coordinative, advisory and beneficial work necessary to further the mission of Christ and His Church.

In making this declaration, we promise allegiance to the authority of our Eparch and his successors under the existing civil and ecclesiastical laws set forth. We undertake to be governed by the statutes of the Ukrainian Catholic Council in Australia (UCCA) (Eparchial Pastoral Council) of the Eparchy of Saints Peter and Paul, Melbourne, and will act in accordance with all future legislation of the Ukrainian Catholic Church.

## CONSTITUTION

### 1 Name

1.1 The official name of this body is The Ukrainian Catholic Council in Australia (UCCA) (Hereinafter referred to as the Eparchial Pastoral Council).

### 2 Patron Saint

2.1 The Patron Saints of the Eparchial Pastoral Council shall be the Holy, First amongst the Apostles, Saints Peter and Paul.

### 3 Pledge

3.1 The Eparchial Pastoral Council pledge is always to be faithful to the Eparchial Statutes and this Constitution for the good of the people of God and for the salvation of souls.

### 4 Authority

4.1 It belongs to the Eparchial Bishop alone to convoke the Eparchial Pastoral Council according to the needs of the apostolate, to preside over it and to publish the things which have been discussed in its meetings. (cf canon 275 CCEO).

4.2 The Eparch is the patron of the Eparchial Pastoral Council. The Eparch is to take part in the monthly meetings of the Eparchial Pastoral Council and the triennial meetings.

- 4.3 The decisions of the Triennial General Meeting (hereinafter referred to as T.G.M.) and of the Eparchial Pastoral Council are referred to the Eparch for his consideration.
- 4.4 The Eparch may call a T.G.M. himself when the presidium does not do this in the prescribed time. If necessary the Eparch may call a special meeting at other times.
- 4.5 The Eparchial Pastoral Council, which is only a consultative body, consists of clerics, religious or members of societies of common life in the manner of religious, and, especially, of lay people designated in a manner determined by the Eparchial Bishop (cf canon 273 #1 CCEO).
- 4.6 The Eparch may appoint a spiritual director to represent him at meetings in his absence.
- 4.7 The Eparchial Pastoral Council is established for a term according to the prescriptions of these statues which are to be given by the Eparchial Bishop (cf canon 274 #1 CCEO).

## **5 Purpose**

In the Eparchy, if pastoral circumstances recommend it, a pastoral council is to be established whose responsibility it is, under the authority of the Eparchial Bishop, to investigate, ponder and propose practical conclusions about those things which regard pastoral works in the Eparchy (cf canon 272 CCEO).

- 5.1 The Eparchial Pastoral Council is an advisory body to the Eparch.
- 5.2 It represents the Eparchy at the patriarchal level wherever appropriate.
- 5.3 To promote the action of the apostolate in the areas of legislation, judicial procedure and individual rights in Australia and internationally.
- 5.4 Lobbies governments on human rights, religious freedoms, social welfare issues and other issues as the need arises.
- 5.5 Provide communications between Eparchial and other Church groups for more effective action.
- 5.6 Make recommendations to the Parish Councils in the Eparchy.
- 5.7 Consider programs of human development, social action, and work towards proper informed action through education, media and public relations.
- 5.8 Take part in the Patriarchal and Eparchial aspects of the Church's Mission and worldwide evangelisation.
- 5.9 When the occasion arises, to take on the co-ordination of significant Eparchial celebrations.
- 5.10 It represents the laity of the church in the Australian Federation of Ukrainian Organisations (AFUO).

## **6 Means to Realising, the Purpose**

- 6.1 The Eparchial Pastoral Council is to be so established that, insofar as possible, it represents the Christian faithful of the Eparchy in regard to the types of persons, associations and other endeavours (cf canon 273 #2).
- 6.2 The Eparchial Pastoral Council shall encourage the spiritual growth of the members of the Eparchy by promoting work in the missionary, catechetical and vocational activities of the Eparchy of Saints Peter and Paul.

- 6.3 The Eparchial Pastoral Council will initiate activities to fulfil the aims and objectives of lay involvement in accordance with the role of the laity as expressed in Vatican II and other official church teachings.
- 6.4 It will be the duty of the Eparchial Pastoral Council to coordinate the activities of the component Eparchial Organisations and Parochial bodies through dialogue with the Parish Priest, Parochial bodies and Organisations and to identify and respond to the needs of members of the Eparchy.
- 6.5 The Eparchial Pastoral Council will inform the members of the Parochial organisations in the Eparchy of its decisions and of all major activities within the Eparchy.
- 6.6 The Eparchial Pastoral Council has the authority to present a budget to the T.G.M. The funds will be derived from member parishes, in order that the Council may carry out its objectives.
- 6.7 The Eparchial Pastoral Council has the right to own bank accounts appropriate with the aims and goals with the Eparchial Pastoral Council.

## **7 Membership**

- 7.1 The membership of the Eparchial Pastoral Council shall be determined by this Constitution. The Eparchial Pastoral Council represents all Parochial bodies at the T.G.M.

## **8 Amendments**

- 8.1 The Constitution of the Eparchial Pastoral Council may be amended by a two-thirds majority vote of all eligible voters present at the T.G.M. and with the approval of the Eparch.
- 8.2 The Eparch may amend or alter the Constitution or any By-law by a simple decree or exception.
- 8.3 All proposed amendments to the Constitution shall be presented to the Eparchial Pastoral Council at least three (3) months in writing prior to a T.G.M.

## **9 Members**

- 9.1 The voting members of the Eparchial Pastoral Council are the delegates from all the parishes in the Eparchy and members of the executive elected at the T.G.M. They should be Christian faithful of proven faith, good morals and outstanding prudence (cf 273 #4 CCEO).
- 9.2 The Eparch may appoint persons to the Eparchial Pastoral Council according to his discretion (cf canon 273 #3 CCEO).



## **10 The Executive**

10.1 The Eparchial Pastoral Council Executive shall consist of the following officers:

- (i) The Eparch
- (ii) Chairperson
- (iii) Vice-Chairperson
- (iv) Recording Secretary
- (v) Corresponding Secretary
- (vi) Treasurer
- (vii) Past Chairperson
- (viii) The Religious /Educational Committee
- (ix) The Vocations Committee
- (x) The Financial/Property Committee
- (xi) Family Life Committee
- (xii) Statutes and Constitutional Committee
- (xiii) Youth Committee
- (xiv) Ecumenical Committee
- (xv) Social Justice and Peace Committee
- (xvi) Public Relations Committee
- (xvii) Auditors Committee (3)
- (xviii) One cleric of the Eparchy
- (xix) One sister from each of the religious orders, or congregations working in the Eparchy.

10.2 Their Duties:

### **10.2.1 The Eparch:**

- (i) The Eparch is the person who calls the council together. He recalls the council's goals and guards the vitality and dynamism necessary for its proper functioning. This responsibility falls upon the Eparch or upon the Spiritual Director appointed by the Eparch to provide pastoral care for the Eparchial Pastoral Council. (cf canon 272 CCEO).
- (ii) Is one of the three signatories on financial transactions of the Eparchial Pastoral Council.

### **10.2.2 The Spiritual Director shall:**

Be the Eparch or his appointee, a Ukrainian Catholic Priest of the Eparchy.

- 10.2.3 **The Chairperson shall:**
- (i) call a meeting of the Eparchial Pastoral Council at least once a month. Any exceptions are to be approved at the previous monthly meeting.
  - (ii) conduct all meetings of the Eparchial Pastoral Council.
  - (iii) be an ex-officio member of all committees serving in the Eparchial Pastoral Council.
  - (iv) delegate responsibilities as they arise to members of the Eparchial Pastoral Council or persons appointed by the Eparchial Pastoral Council.
  - (v) consult with the Eparch on all matters relating to the Eparchial Pastoral Council.
  - (vi) be one of the three signatories on financial transactions of the Eparchial Pastoral Council.
  - (vii) transact all financial business of the Eparchial Pastoral Council together with the Treasurer upon approval of the Eparchial Pastoral Council or the Eparchial Pastoral Council Executive and the Eparch.
- 10.2.4 **The Vice-Chairperson shall:**
- (i) assume the duties of the Chairperson in the latter's absence.
  - (ii) aid the Chairperson in the performance of his/her duties.
- 10.2.5 **The Recording Secretary shall:**
- (i) keep minutes and records of all activities of the Eparchial Pastoral Council.
  - (ii) send copies of minutes to all members of the Eparchial Pastoral Council.
  - (iii) keep a register of all members of the Eparchial Pastoral Council and their attendance at meetings.
  - (iv) keep a register of all members of the executive.
  - (v) keep an up-to-date list of the names, addresses and telephone numbers of all members of the Eparchial Pastoral Council.
  - (vi) keep the archives of the Eparchial Pastoral Council.
- 10.2.6 **The Corresponding Secretary shall:**
- (i) conduct all necessary correspondence of the Eparchial Pastoral Council and a register of all incoming and outgoing mail.
  - (ii) Assume the responsibilities of the Recording Secretary in his/her absence.
- 10.2.7 **The Treasurer shall:**
- (i) keep a record of all income and expenses of the Eparchial Pastoral Council and present a report at each meeting.
  - (ii) prepare an annual financial Statement of the Eparchial Pastoral Council.
  - (iii) apply his/her signature with that of the Chairperson or the Eparch to all financial transactions approved at the Eparchial Pastoral Council meetings.

- (iv) conduct appropriate financial transactions for the Eparchial Pastoral Council.
- (v) consult with the Eparch on financial matters of the Eparchial Pastoral Council.

10.2.8 **The Past Chairperson:**

- (i) provides continuity and guidance to the Executive of the Eparchial Pastoral Council.

10.2.9 **In the Absence of the Chairperson:**

- (i) in the absence of the Chairperson and Vice-Chairperson at a duly called meeting the members present shall elect a chairperson for that meeting.

**11 Quorum**

11.1 At regular meetings of the Eparchial Pastoral Council, all members present (not any less than five) shall constitute a quorum. Where numbers are inefficient the meeting should be postponed.

11.2 All delegates present at the T.G.M. shall constitute a quorum.

**12 Eparchial Pastoral Council Meetings**

12.1 All meetings of the Eparchial Pastoral Council shall begin and end with a prayer or meditation.

12.2 All meetings shall be conducted according to a carefully planned agenda which will be approved at the beginning of the meeting.

12.3 Eparchial Pastoral Council Meetings shall be held every month unless the Eparchial Pastoral Council decides to postpone a meeting for a good reason. Special meetings may be called by the Chairperson, with the Eparch's approval, for extraordinary matters affecting the welfare of the Eparchy.

**13 Committees**

The Eparch shall appoint with the advice of the Eparchial Pastoral Council members to the Standing (Perpetual) and Special or Ad Hoc Committees :

13.1 **Standing (Perpetual) Committees:**

- (i) The Religious /Educational Committee
- (ii) The Vocations Committee
- (iii) The Financial/Property Committee
- (iv) Family Life Committee
- (v) Statutes and Constitutional Committee
- (vi) Youth Committee
- (vii) Ecumenical Committee
- (viii) Social Justice and Peace Committee
- (ix) Public Relations Committee
- (x) Auditors Committee

13.2 **The Standing (Perpetual) Committees** are listed in 13.1 (i - x )

The newly elected chairperson of each Standing (Perpetual) Committee shall, within 60 days of election, propose to the meeting of the Eparchial Pastoral Council a list of people who shall serve on each committee on an Ad Hoc basis. The list is to be approved by the Eparchial Pastoral Council and the Eparch.

**13.2.1 Each Standing Committee shall:**

- (i) in each term of office, every Standing Committee shall endeavour to prepare at least one event or workshop on the Eparchial or Regional level in the area of their interest.
- (ii) prepare a report about their activities least two (2) months prior to the T.G.M.; this written report is to be presented at the T.G.M.

**13.3 Resignation or Removal from the Eparchial Pastoral Council**

When the council is of the opinion that a member:

- (i) has persistently refused or neglected to comply with the provisions of this Constitution or,
- (ii) has persistently and wilfully acted in a manner prejudicial to the interests of the Eparchial Pastoral Council or the Eparchy, the Eparchial Pastoral Council may, by a vote of simple majority and the approval of the Eparch, expel the member from the Eparchial Pastoral Council.

13.3.1 The Eparch may ask any Eparchial Pastoral Council member to resign for serious reasons.

13.3.2 Any member of the Eparchial Pastoral Council may resign for serious reasons.

**13.4 Replacement of Eparchial Pastoral Council Members**

If any member of the Eparchial Pastoral Council resigns, is removed or becomes incapacitated, the Eparchial Pastoral Council, with the approval of the Eparch, has the duty to replace the member in the interim.

**13.5 Special or Ad Hoc Committees may be established for:**

Eparchial anniversaries, Eparch's Name Day, Eparchial gatherings and other events or special temporary needs of the Eparchy. The chairperson of these committees and members shall be appointed by the Eparch with the advice of the Eparchial Pastoral Council.

**13.6 The Religious Education Committee shall:**

- (i) research and prepare recommendations concerning the Education of the children, youth and adult members of the Eparchy and implement these programs.
- (ii) initiate special programs as necessary for the preparation of Leaders or Teachers who will advance Religious Education Faith and understanding in the Eparchy.
- (iii) Research and prepare recommendations about improving the liturgical participation of the faithful of the Eparchy.

**13.7 The Vocations Committee shall:**

- (i) research and prepare programs concerning the awareness of a need for vocations to the Clerical and Religious Life and implement this program with the Eparch's approval.
- (ii) initiate such activities which will promote and/or rekindle the "Call" to the Clerical or Religious Life or the Holy Life of the laity of the Eparchy.

- 13.8 **The Financial/Property Committee shall:**
- (i) advise the Eparch and Eparchy on matters relating to the financial future of the Eparchy.
  - (ii) advise the Eparch and Eparchy on the state of the physical properties of the Eparchy.
  - (iii) research and prepare programs for parishes that request help in their financial needs.
  - (iv) research and prepare fund raising programs for the Eparchy.
- 13.9 **Family Life Committee shall research and prepare:**
- (i) programs to enhance family life in the Eparchy.
  - (ii) marriage preparations programs throughout the Eparchy.
  - (iii) programs for families in crisis.
  - (iv) programs for the integration into the parish life of marriages that include non-Ukrainian partners.
- 13.10 **Statutes and Constitutional Committee shall:**
- (i) work with parish councils in the implementation of the Eparchial Statutes.
  - (ii) accept all suggested changes to the Eparchial Statutes and the Eparchial Pastoral Council Statutes and present them to the appropriate bodies for examination and change.
  - (iii) suggest ways in which all the pertinent Statutes of the Eparchy can be improved.
- 13.11 **Youth Committee shall:**
- (i) research and prepare programs for the improvement of the Youth Apostolate of the Eparchy.
  - (ii) work with various youth groups; encourage the formation of new ones where needed within the Eparchy, and prepare recommendations for action within the Eparchy.
  - (iii) speak on behalf of the youth at the various levels of activities in the Church.
- 13.12 **Ecumenical Committee shall:**
- (i) research and prepare programs for Ecumenical activities within the Eparchy.
  - (ii) represent the Eparchy at various Ecumenical meetings and celebrations on a laity level.
  - (iii) advise the Eparch and Eparchy on relationships with various Churches.
- 13.13 **Social Justice and Peace Committee:**
- (i) research and prepare programs about social problems in the Eparchy and Church.
  - (ii) prepare recommendations to enhance the awareness of social problems and their solutions in our society, with plans for concrete action on behalf of parishes.
  - (iii) research and prepare, where possible, the integration of Centacare programs in the Eparchy.
  - (iv) work with Caritas to help improve social standards in our society.
- 13.14 **Public Relations Committee shall:**

- (i) advise the Eparch and the Eparchy on matters relating to questions of the relationship of the Eparchy with other organisations, groups or individuals.
- (ii) conduct programs of information that will improve understanding and good will in the community.
- (iii) represent the Eparchial Pastoral Council, on the level of the laity, at various gatherings of the Church and community (i.e. AFUO).
- (iv) advise the Eparch and the Eparchy on matters relating to the mass media.

**13.15 Auditors**

The Eparchial Pastoral Council Auditors Committee shall consist of a chairperson and two members.

The Auditors shall:

- (i) examine the financial transactions of the Eparchial Pastoral Council during the past term and present their report.
- (ii) examine that the Eparchial Pastoral Council keeps its statutory obligations.
- (iii) at least one auditor must be present at each monthly meeting.

**13.16 The Special or Ad Hoc Committees shall:**

- (i) research and prepare a program concerning their field of responsibility and implement the program with the Eparch's approval.
- (ii) initiate such activities as deemed necessary to bring about the desired results as directed by the Eparchial Pastoral Council.
- (iii) at the termination of the event, prepare and present a report to the Eparchial Pastoral Council.

**14 The Eparchial Pastoral Triennial General Meeting (T.G.M.)**

14.1 The period between the T.G.Ms. shall be considered The Tenure of Office for all elected and appointed members of the Eparchial Pastoral Council, except if otherwise decreed by the Eparch.

14.2 The Chairperson of the Eparchial Pastoral Council, in consultation with the Eparch, shall call a T.G.M. approximately every three (3) years at a venue and time designated by the Eparchial Pastoral Council.

14.3 All parishes and missions shall be informed of the time, location and agenda of the T.G.M. through an official bulletin at least two (2) months prior to its date.

14.4 Each parish and all missions shall have the right to send delegates to the T.G.M. and shall inform the Eparchial Pastoral Council of their intention to do so at least one month before the T.G.M.

14.5 Each parish or mission shall have voting rights if they have paid their appointed dues or levies.

14.6 Each parish or mission has the right to send two delegates plus one other delegate per 400 registered families in each parish, up to a total of five (5) members. Each delegate has one (1) vote. (parishes of less than 400 families have two (2) delegates; parishes of 500 families would have three (3) delegates etc.

14.7 All members of the Eparchial Pastoral Council have one vote and have an obligation to attend the T.G.M.

14.8 Parish council presidents have the first obligation to attend T.G.Ms. Other delegates will be selected by local parish councils with the approval of the parish priest. Special consideration should be given to ensure that youth delegates

represent the parish at the meeting, especially from parishes that have more than two delegates.

## **15 Procedure at Eparchial Pastoral Council's T.G.M.:**

- (i) each meeting shall choose an honorary presidium.
- (ii) choose a chairperson for the meeting. The chairperson should not be the current Eparchial Pastoral Council chairperson nor a candidate for the upcoming term.
- (iii) select two (2) secretaries who will record the minutes of the meeting and submit them to the new executive within 30 days.
- (iv) approve the minutes of the last T.G.M.
- (v) costs of the Eparchial Pastoral Council's T.G.M. itself are to be divided between the participating parishes. A registration fee is to take this into consideration.
- (vi) approve the budget for the next term of office.

15.1 The agenda of the Eparchial Pastoral Council's T.G.M. shall be prepared by the Eparchial Pastoral Council together with the Eparch.

15.2 Parish Reports:

- (i) to be prepared by each parish in the Eparchy.
- (ii) these may be presented on in written form.

15.3 Eparchial Pastoral Council T.G.M. Reports:

- (i) Eparchial Pastoral Council Chairperson.
- (ii) Eparchial Pastoral Council Treasurer and Financial Officer.
- (iii) Standing Committee chairpersons.
- (iv) Presentation and discussion of proposed programs for the next two years.

15.4 General

This section shall include the major address to the meeting, social events planned and special items planned by the Eparchial Pastoral Council.

## **16 T.G.M. Committees**

These committees shall be appointed from the floor. The Chairperson shall be elected by the members of the particular committee.

## **17 The Resolutions Committee shall:**

Prepare a slate of resolutions for presentation to the meeting delegates.

## **ELECTIONS**

### **18 Nominating Committee**

18.1 A Nominating Committee of three(3) members shall be chosen from the existing Eparchial Pastoral Council to prepare a slate of nominees for the following positions:

- (i) Chairperson
- (ii) Vice-Chairperson

- (iii) Recording Secretary
- (iv) Corresponding Secretary
- (v) Treasurer
- (vi) The Religious /Educational Committee
- (vii) The Vocations Committee
- (viii) The Financial/Property Committee
- (ix) Family Life Committee
- (x) Statutes and Constitutional Committee
- (xi) Youth Committee
- (xii) Ecumenical Committee
- (xiii) Social Justice and Peace Committee
- (xiv) Public Relations Committee
- (xv) Auditors Committee

18.2 This slate of nominees is subject to the Eparch's approval.

18.3 The T.G.M. elects, with a vote of a simple majority, the following members:

- (i) chairperson of the Eparchial Pastoral Council.
- (ii) members of the executive.
- (iii) chairperson and two (2) additional members of the auditing committee.

18.4. No member of the Eparchial Pastoral Council Executive should be allowed to hold the same elected executive position for more than two consecutive terms. Special permission must be sought from the Eparch in the case of exceptions.

## **19 Cease to Exist**

19.1 The Eparchial Pastoral Council is in office only during the length of office of the Eparch. If the Eparchial See becomes vacant, the Eparchial Pastoral Council ceases to exist (cf canon 274#2 CCEO).

19.2 It will be up to the new Eparch to reconstitute the Eparchial Pastoral Council.

## **20 Issues not covered by this Constitution**

The Eparch or the Eparchial Pastoral Council, with the approval of the Eparch, may determine operating procedures for circumstances not otherwise provided in this Constitution.



# APPENDIX J: STATUTES AMENDING DOCUMENT – 2005

## SCHEDULE A

### AMENDMENTS TO THE STATUTES OF THE EPARCHY OF Ss. PETER AND PAUL OF MELBOURNE FOR THE UKRAINIAN CATHOLICS OF AUSTRALIA, NEWZEALAND AND OCEANIA

#### Preamble

The Statutes of the Eparchy of Ss. Peter and Paul of Melbourne for the Ukrainian Catholics of Australia, New Zealand and Oceania, promulgated by the Eparch, The Most Revered Peter Stasiuk, CSsR, on the 2<sup>nd</sup> of February 2002 (hereinafter ‘the Eparchial Statutes’) are amended as set out in this Schedule.

#### 1. ‘OYKOA’

All references in the English version of the Eparchial Statutes to ‘OYKOA’ are hereby deleted and replaced with ‘Eparchial Pastoral Council’ or ‘EPC’ as the context requires.

#### 2. Preliminary Norms

2.1 The Preliminary Norms are amended as follows

2.1.1 After preliminary Norm 10, the following is added:

11. For the purposes of financial accountability pursuant to these statutes, and unless specifically noted otherwise within these statutes or unless the context dictates otherwise, the Australian fiscal year, 1<sup>st</sup> July – 30<sup>th</sup> June, governs.

#### 3. Glossary of Terms

3.1 The Glossary of Terms is amended as follows

3.1.1 The definition of ‘Cleric’ is amended by deleting the final sentence.

3.1.2 After ‘Chancellor’, the following is inserted:

**Clergy.** Unless specifically noted otherwise in these statutes or unless the context dictates otherwise, those in the major orders of bishop, priest or deacon.

3.1.3 After ‘Protosyncellus’ the following is inserted:

**Religious or Religious Life.** Unless specifically noted otherwise in these statutes or unless the context dictates otherwise, those individuals who live in a group of individuals living together as brothers or sisters and who publicly profess religious vows.

#### 4. Section One

4.1 Section One is amended as follows:

4.1.1 After Section 1.3, the following is added:

##### 1.4 Privacy Laws

In all matters relating to personal information of clergy, religious, the faithful and any other person or persons involved in or associated with Eparchial, Community, Missions and or Parish activities, the Eparchy and all Communities, Missions, Parishes and Institutes of Religious life shall conform to the privacy standards established by Australian Commonwealth, State and Territory law from time to time in force and, without limiting the generality of the foregoing, with the Privacy Act 1988 (Cth) and the ten National Privacy Principles established thereunder, as if they were written into and forming a part of these statutes.

## **5. Section Three**

5.1 Section Three is amended as follows:

5.1.1 After Section 3.2.3, the following is inserted:

3.2.4 In the case of the transfer of a priest to a new community, mission, parish, or any other such Eparchial appointment as may from time to time be authorised and approved by the Eparch, the new community, mission parish or Eparchial appointment is to be responsible for all necessary and reasonable travel and freight costs associated with the transfer from a previous community., mission parish or Eparchial appointment, and which are mutually agreed upon between the new community, mission, parish or Eparchial appointment and the priest prior to the date of the transfer trip. Such costs may include, but are not limited to the costs associated with a one-way trip for the priest to the new parish, and the rental of a trailer, van, lorry, or the engagement of a removalist for the purposes of shifting all personal property of the priest.

5.1.2 Section 3.29 is repealed and replaced by the following:

3.29 Clergy are responsible for lodging their personal income tax returns and paying their own Commonwealth or State income tax or other taxes, including, but not limited to, PAYG tax, from their own personal funds and not from parish funds. The Eparch shall from time to time issue a directive as to how clergy may minimise their liability for PAYG tax.

## **6. Section 4**

6.1 Section Four is amended as follows:

6.1.1 In Section 4.10.16.1, the phrase ‘On other week days of the Great Fast, the Typica (Obitnitsya) with the distribution of the Holy Eucharist may be celebrated’ is repealed and replaced by the following:

‘On other week days of the Great Fast, the Divine Liturgy of Our Father Among the Saints John Chrysostom or the Typica (Obitnitsya) with the distribution of Holy Eucharist may be celebrated.’

6.2 The English version only of Section Four is amended as follows:

6.2.1 Section 4.6.11.4 is repealed and replaced by the following:

4.6.11.4 Consumption of all dairy food (including milk, eggs, cheese, etc.) is not allowed on the first day of the Great Fast (the Monday which follows Cheesefare Sunday) and on Holy and Great Friday. Pregnant and nursing mothers, the ill and infirm, those who work hard at physical labour and the very poor are excused.

6.3 The Ukrainian version only on Section Four is amended as follows:

6.3.1 In Section 4.10.17.1 the phrase ‘only in the event of great need can the Eucharist be kept in the Sacristy’ is deleted.

## **7. Section Five**

7.1 Section Five is amended as follows:

7.1.1 After Section 5.11.7.6 the following is added

**5.11.7A Bishop’s Rata**

5.11.7A.1 The Bishop's Rata is a specific tax distributed each year by the Eparch to each Mission, Community and Parish in proportion to the number of faithful therein (as a percentage)

5.11.7A.2 The Eparch shall from time to time issue a directive setting out the relevant percentages for the purposes of making the distribution of the Bishop's rata pursuant to 5.11.7A.1

7.1.2 In the list of Special Collections found in section 5.11.7.6 'Catholic Missions in the World' is deleted and replaced with 'Eparchial Missionary Fund'.

7.1.3 To the list of Special Collections found in 5.11.7.6, Canberra Collection' is added immediately after 'Easter Collection' under the heading 'Purpose'.

7.1.4 To the list of Special Collections found in 5.11.7.6 "Once yearly" is added immediately after 'Easter Sunday' under the heading 'Collection Time' and horizontally opposite from 'Canberra Collection' as specified in Section 7.1.3 of this Schedule.

## **8. Section Six**

8.1 Section Six is amended as follows:

8.1.1 After Section 6.34, the following is inserted:

### **6.35 Liability Insurance**

6.35.1 It is the responsibility of every Community, Mission or Parish Council to obtain liability insurance for all members of the Community, Mission or Parish Council, as the case may be, to indemnify against loss suffered in any way whatsoever in the exercise of any and all functions related to Community, Missions or Parish Council business, as the case may be.

## **9. Section Seven**

9.1 A new Section Seven of the Eparchial Statutes is inserted as follows:

9.1.1 After Section Six of the Statutes, the following is inserted:

### **SECTION SEVEN:**

#### **7.1 Statutes Review and Canon Law Committee**

##### **7.1.1 Establishment**

7.1.1.1 Without limiting the generality of Preliminary Norm 9, there shall be an Eparchial Statutes Review and Canon Law Committee for the Eparchy of Ss. Peter and Paul of Melbourne for the Ukrainian Catholics of Australia, New Zealand and Oceania.

##### **7.1.2 Duties**

7.1.2.1 The Eparchial Statutes Review and Canon Law Committee has the duty to:

- act as a consultative body
- report annually to Soborchyk on its work
- make proposals for amendments to these statutes
- provide advice regarding proposals for amendments to these statutes and
- draft any amendments which have been adopted pursuant to statute

7.2

##### **7.1.3 Composition**

7.1.3.1 The Eparchial Statutes and Review Committee shall comprise 6 (six) members, three of who shall be clergy or religious and three of who shall be members of the faithful.

- 7.1.3.2 Members of the Committee shall be appointed by the Eparch, with one member of the clergy or religious being appointed as Chair and one member of the faithful being appointed as Vice-Chair.
- 7.1.3.3 Members of the Eparchial Statutes Review and Canon Law Committee are appointed for a five-year term, renewable.
- 7.1.3.4 For the duration of their appointment, the Eparch, except for grave and documented reasons, cannot dismiss members for the Eparchial Statute Review and Canon Law Committee.

## **7.2 Amendment of the Eparchial Statutes**

7.2.1 Without limiting the generality of Preliminary Norm 6, these statutes, or any one of them, may be withdrawn or amended by the Eparch, acting pursuant to his sole legislative power under CCEO 191.

7.2.2 The Eparch may in his absolute discretion choose to exercise his power to withdraw or amend these statutes, or any one of them, under 7.2.1 following a minimum three-fourths majority of the Quorum present at the Triennial General Meeting of the Eparchial Pastoral Council to present to the Eparch a proposal for the withdrawal or amendment of these statutes, or any one of them, which has been ratified by:

7.2.2.1 a minimum three-fourths majority of the clergy and religious of the Eparchy of Ss. Peter and Paul of Melbourne for the Ukrainian Catholics of Australia, New Zealand and Oceania; and

7.2.2.2 a minimum three-fourths majority of the Community, Mission and Parish Councils from time to time comprising the Eparchy of Ss. Peter and Paul of Melbourne for the Ukrainian Catholics of Australia, New Zealand and Oceania.

## **7.3 Time in Which Three-Fourths Majority Must Be Obtained**

7.3.1 For the purposes of 7.2 the three-fourths majority of both the clergy and of the Community, Missions and Parish Councils must be obtained within one calendar year from the date of the proposal being submitted to clergy and religious and the Community, Mission or Parish Councils of the Eparchy, after which date the proposal will lapse.

7.3.2 A proposal which has lapsed through effluxion of time in 7.5.1 may be submitted again to the clergy and religious and to the community, Mission or Parish Councils provided that not less than one calendar year has elapsed from the lapse of the first submission to the clergy and religious and to the Community, Mission or Parish Councils.

## **7.4 Proposal for Amendment**

For the purpose of this Section, and without limiting the generality of Preliminary Norm 8, the Eparchial Statutes Review and Canon Law Committee or any member of the clergy, religious or of the faithful or any Community, Mission or Parish Councils of the Eparchy of Ss. Peter and Paul of Melbourne for the Ukrainian Catholics of Australia, New Zealand and Oceania may make a proposal for the amendment of these statutes.

## **10. Appendix D**

10.1 Appendix D is amended as follows:

10.1.1 Section 1 Alienation and Acts of Extraordinary Administration is Repealed and replaced by the following:

### **1. Alienation and Acts of Extraordinary Administration**

In order to take account of CPI rises, the Eparch shall from time to time issue guidelines for acts of extraordinary administration and alienation. Please consult the Eparch for these guidelines.

## **SCHEDULE B**

### **RATIFICATION OF PREVIOUS ACTS OF APPOINTMENT TO THE ADVISORY COMMITTEE OF THE CLERGY WELFARE FUND AND TO THE EPARCHIAL STATUTES REVIEW AND CANON LAW COMMITTEE OF THE EPARCHY OF SS PETER AND PAUL OF MELBOURNE FOR THE UKRAINIAN CATHOLICS OF AUSTRALIA, NEW ZEALAND AND OCEANIA**

#### **Preamble**

The previous acts of appointment of the Eparch are ratified as set out in this Schedule.

#### **1. Ratification of the Directors of the Clergy Welfare Fund**

1.1 As from the date of the proclamation of the amendments contained in Schedule A of the Proclamation of the Eparch made the \_\_\_\_ day of \_\_\_\_\_ 2005, the directors of the Clergy Welfare Fund shall be Very Rev Fr Simon Ckuj, Chair, \_\_\_\_\_ and \_\_\_\_\_, who shall hold office from the date of the proclamation of these amendments pursuant to Section 3.31 and Appendix H of the Eparchial Statutes as if they had been validly appointed by the Eparch according to Appendix H, Section 6, 1.1.

#### **2. Ratification of the Members of the Eparchial Statutes Review and Canon Law Committee**

2.1 As from the date of the proclamation of Section 9 of Schedule A of the Proclamation of the Eparch made the \_\_\_\_ day of \_\_\_\_\_ 2005, the members of the Eparchial Statutes Review and Canon Law Committee shall be Rev Dr Paul Babie, Chair, Ms Maru Jarockyj, Vice-Chair, Very Rev Fr Simon Ckuj, Sr Darleane Pelechaty, SSMI, Ms Maria Kwas and \_\_\_\_\_, who shall hold office from the date of the proclamation of these amendments pursuant to Section 7.1 of the Eparchial Statutes as if they had been appointed by the Eparch according to Sections 7.1.3.2 and 7.1.3.3 of the Eparchial Statutes.