



SECRETARIA STATUS

## **Statutes of the Pontifical Foundation** **“Aid to the Church in Need” (ACN)**

### **Preamble**

The foundation “Aid to the Church in Need” originated in 1947 under the name of “Oostpriesterhulp” in the Norbertine abbey of Tongerlo in Belgium, in response to an appeal by the Servant of God Pope Pius XII and on the initiative of one of the monks of that abbey, Father Werenfried van Straaten. The charity was generated, in spirit of reconciliation, as a pastoral initiative for the spiritual and material support of the Catholic priests and faithful in Germany who had been expelled from the states of Central and Eastern Europe after the Second World War. This initiative, which subsequently included in its goals the aid for the Christian faithful in the countries oppressed by communist regimes, spread and grew rapidly in Europe and beyond.

The charity received its first canonical recognition from the Bishop of Frascati on 6 January 1964 as a diocesan pious union. Further analogous canonical recognitions, under the prevailing canonical regulations, were to follow in the various countries where the charity conducted its fundraising activities. On 7 April 1984 the Congregation for the Clergy erected the charity as a Universal Public Association of the faithful under its present name of “Aid to the Church in Need”.

From the initial temporary aid campaign, always responding to the invitations of the Supreme Pontiffs, the charity developed progressively aid programmes for the Church in Latin America, Africa and Asia. Thus the charity has grown into a worldwide pastoral foundation which, through prayer, sacrifice, the attitude of enduring conversion, awareness raising and practical charity, today seeks to support the Church wherever she faces need in the fulfilment of her proper mission.

The spirituality that has developed within the charity through the mission entrusted to it has been specifically set forth in the “Spiritual Guidelines”. These remind the inspirational guidelines to all those who work in the Foundation or collaborate in its various activities.

**SECTION I**  
**JURIDICAL NATURE, SEAT AND OFFICES, PURPOSE**

**Juridical Nature**

**Article 1**

§1. The Foundation, denominated “*Aid to the Church in Need*”, in abbreviated form ACN, has been erected by Pope Benedict XVI by Chirograph, dated 4 November 2011.

§2. It is an autonomous pious Foundation in accordance with canons 1303 §1, 1° and 113ff. CIC.

§3. In accordance with Vatican City State law the Foundation has the civil status of a Vatican juridical person.

§4. The Foundation operates in the name of the Church (*nomine Ecclesiae*).

§5. Given the international activities of the Foundation, the name “Aid to the Church in Need” may be rendered in the appropriate languages; following the provisions established by the Administrative Council.

§6. The Supervisory Board may change the name of the Foundation, with the approval of the Congregation for the Clergy and after consultation with the Secretariat of State.

**Seat and offices**

**Article 2**

§1. The Foundation has its legal seat in Palazzo San Calisto, 16. In accordance with Section IV of this Statute it may also establish other offices abroad.

§2. The general operational and administrative headquarters of the Foundation are located in Bischof-Kindermannstrasse 23, 61462 Königstein im Taunus, in the Federal Republic of Germany.

§3. The Foundation can operate in other territories and for this purpose may establish, in accordance with Section IV of this Statute, other bodies such as National Sections or Representations.

**Purpose**

**Article 3**

§1 As a pastoral charity, the fundamental purpose of the Foundation is the spiritual and material help and support of the Church, above all where it lacks the necessary means to fulfil its mission or suffers persecution or pastoral difficulties.

§2. More specifically, the Foundation aims to:

- a) support priests in fulfilling the various activities of their sacred ministry;
- b) support of the dissemination of the Word of God;
- c) support the formation of priests, deacons, seminarians, religious and catechists and also their various ministries;
- d) promote styles of life and pastoral ministry animated by an authentic evangelical charity;
- e) make present the “Church of martyrs” as a leaven of spiritual, human and ecclesial unity;
- f) promote relations with the Churches of the East;
- g) raise awareness of the issue of religious freedom;
- h) support and promote the Catholic presence in the sphere of information and the mass media;

§3. The Foundation may operate directly or indirectly and may likewise sign conventions or other agreements with public and private bodies.

### **Bonds with the Holy See**

#### **Article 4**

§1. The Foundation is animated by faithful obedience and devotion to the Roman Pontiff, by active co-operation with his universal apostolic ministry and a ready willingness to follow and implement his indications.

§2. It is subject to the jurisdiction of the Holy See via the competent authority, the Congregation for the Clergy, to which belongs the supreme direction and supervision in accordance with canonical discipline regarding public juridical persons of the Catholic Church.

§3. Each year the Foundation submits a detailed report of its activities to the Congregation for the Clergy, for approval in accordance with the guidelines of the present Statute.

### **The benefactors**

#### **Article 5**

§1. The benefactors of the Foundation belong to its spiritual family. These are individuals or institutions who, although not participating in the organs of governance and administration of the Foundation, favour and promote the goals of the Foundation through their prayers, works and offerings.

§2. The benefactors must be adequately informed about the life and activity of the Foundation.

### **Assets**

#### **Article 6**

§1. The Foundation is a non-profit organisation whose aims are exclusively pastoral in nature.

§2. In accordance with can. 1257 §1 CIC, the goods used to pursue the Foundation's objectives are ecclesiastical goods and are administered in accordance with cann. 1254-1310 CIC, and with the present Statute.

§3. The assets of the Foundation comprise the sum of €1 million, which may be modified by the Supervisory Board at its own discretion.

§4. The following means are available to the Foundation in pursuance of its goals:

- a) offerings, donations, bequests and legacies, both in cash and in kind, except where expressly entrusted as assets;
- b) offerings for the celebration of Holy Mass destined for priests who have need of them;
- c) income generated by assets;
- d) collections and offerings
- e) fundraising activities
- f) all other sources of income.

## **SECTION II GOVERNING ORGANS**

### **Article 7**

§1. The members of the governing organs and other bodies of the Foundation, whether employees or engaged on a voluntary basis, must belong to the Catholic Church, be faithful to the Church's doctrine and loyal to the office of the Successor of Peter, showing obedience to him.

§2. The term of office for the organs of the Foundation and for the members of the National Boards in the Sections and Representations shall be five years. This mandate may be extended one or more times for a further five years. The term of office continues until a new appointment or reappointment is made.

The term of office of each member of an organ or of the management will terminate at the end of the calendar year in which the member reaches 75 years of age.

The competent authority for the nomination has the power to extend this term of office even beyond the age of 75 and also to revoke it at any time, without prejudice to the prevailing legislation in respect of labour rights.

§3. In the event that vacancies occur during the term of office, these will be accommodated under the terms of the statutes and the members thus nominated will remain in office until the end of the regular term.

### **Art. 8**

The following are the organs of the Foundation:

- The Supervisory Board
- The President

- The Administrative Council
- The Executive President
- The Presidents of the National Sections
- The College of Auditors

## **The Supervisory Board**

### **Article 9**

§1. The Supervisory Board is the supreme governing body of the Foundation. It determines the contents and basic rules, receives reports by the Administrative Council, approves the budget and annual financial statement. The Supervisory Board meets at least once a year. The Supervisory Board shall adopt its own internal Rules of Procedure.

§2 Members of the Supervisory Board are the President, seven members nominated by the Congregation for the Clergy, and the voting members of the Administrative Council. The Ecclesiastical Assistant shall be a non-voting member of the Supervisory Board. Guests may be invited to any session, without right of vote, on the initiative of the President.

## **The President**

### **Article 10**

§1. The President is appointed by the Congregation for the Clergy, after consultation with the Secretariat of State.

§2. The President chairs the meetings of the Supervisory Board and calls such meetings at least once a year.

§3. The President has overall responsibility for the Foundation, principally through:

- a) the strategic governance of the Foundation as President of the Supervisory Board;
- b) contacts with the Congregation for the Clergy and the other dicasteries of the Holy See and other ecclesiastical institutions;
- c) the personnel decisions within the sphere of his authority;
- d) close collaboration with the Executive President.

## **The Administrative Council**

### **Article 11**

§1. The Administrative Council has overall responsibility for the general activities of the Foundation, at the international and national level, in accordance with the Statutes and the strategies established by the Supervisory Board.

§2. In particular, the Administrative Council shall attend:

- a) to the development of the strategic planning;

- b) to ensuring effective cooperation with the national sections
- c) to the approval of all the acts of extraordinary administration reserved by the Council in accordance with its own Rules of Procedure
- d) to ensuring that the Foundation's financial resources are used in the safest and most profitable ways and to making the best use of its material goods, through the appropriate economic activities
- e) to the appointment of the members of the General Management.

§3. Members of the Administrative Council are the Executive President, two members appointed by the President on the proposal of the Executive President and two presidents of the National Sections elected by the General Council.

§4. The non-voting members of the Administrative Council shall include the Ecclesiastical Assistant, the members of the General Management and two National Directors, appointed by the Administrative Council.

§5. The Executive President shall chair the meetings of the Administrative Council and shall call these meetings at least three times a year.

§6. The Administrative Council may establish committees for the purpose of assisting with specific tasks of the Foundation. Such committees should institutionalise the collaboration of the National Sections and of the external experts. Further details will be laid down by the Rules of Procedure to be established by the Administrative Council.

## **The Executive President**

### **Article 12**

§1 The Executive President shall be responsible for the ordinary administration and the implementation of the strategies and guidelines determined by the Administrative Council. He may delegate specific duties to the members of the General Management.

§2 The Executive President is responsible for the efficient administration and for the implementation of the measures and strategies indicated in §1 of the present article, with due observance of the relevant guidelines. He will inform the President of all exceptional events and measures. He represents the Foundation externally.

§3 The Executive President is appointed by the Congregation for the Clergy, on the proposal of the President and after consultation with the Supervisory Board, and may at any time be dismissed by the Congregation for the Clergy at the request of the President or of the Supervisory Board.

## **The Presidents of the National Sections**

### **Article 13**

§1. The Presidents of the National Sections are appointed by the President on the proposal of the Executive President and represent the Foundation within their own respective countries. Their responsibilities include in particular the following:

- a) The activities of the National Section according to the spirit and goals of the Foundation and the decisions of the governing bodies, while respecting the legal provisions in their own respective country;
- b) Safeguarding the active unity of the National Section with the governing bodies of the Foundation;
- c) The representation of the Foundation in the public sphere and with regard to the benefactors in the country concerned and with the relevant Episcopal Conference;

§2 The Presidents of the National Sections are members of the General Council (cf. Art. 16 §1).

## **The College of Auditors**

### **Article 14**

§1. The College will exercise vigilance in order to ensure the orderly bookkeeping and financial procedures of the management of the Foundation, in accordance with the requirements of the Rules of Procedure.

§2. The College of Auditors shall be composed of three active members, plus two substitute members to be appointed by the Supervisory Board.

§3. The College of Auditors will hold office for five years and its members can be reappointed.

§4. The Supervisory Board may dispense with the establishment of the College of Auditors, entrusting its functions instead to a legally qualified firm of auditors or equivalent company, as laid down in the Rules of Procedure.

## **SECTION III OTHER BODIES AND FUNCTIONS**

### **General Management**

### **Article 15**

§1. The administrative, financial, technical and executive organisation of the Foundation is to be exercised by the General Management, based in Königstein.

§2. The Rules of Procedure of the General Management are established by the Administrative Council.

§3. The Secretary General and his two deputies constitute the General Management of the Foundation. They are appointed by the Executive President with approval of the Administrative Council and may be dismissed at any time with the consent of the Administrative Council, after consultation with the President.

The Ecclesiastical Assistant may take part in the meetings of the General Management in an advisory capacity.

§4. The duration of their term of office shall depend on that of the Executive President.

§5. The manner of working and the allocation of the responsibilities of the members of the General Management will be governed by internal rules of procedure to be determined by the Administrative Council.

§6. The General Management is responsible for the direction and organisation of the Central Headquarters and for the collaboration with the National Sections and Representations.

§7. The Secretary General will work together with the Executive President, in particular:

- a) in preparing and planning the activities of the Foundation, presenting them to the governing bodies, supervising their implementation and monitoring their results;
- b) in implementing the decisions of the Supervisory Board and the Administrative Council and preparing the budget and annual financial statement.
- c) by informing the Executive President without delay in matters of major importance.

§8. The General Management shall submit to the Executive President the proposals for the appointment of senior management personnel for the Central Headquarters and shall recruit and dismiss the remaining staff in accordance with the Rules of Procedure.

§9. The Secretary General may at any time ask the National Sections for information about their affairs and request sight of their books and records.

## **The General Council**

### **Article 16**

§1. The General Council of the Foundation consists of the following members with right to vote:

- the Executive President



- the Members of the Administrative Council;
- the Presidents of the National Sections;
- the Heads of the Offices of Representation;
- up to two experts appointed by the Executive President.

§2. The non-voting members of the Administrative Council shall likewise participate in the General Council, again without the right to vote.

§3. The Executive President shall chair the meetings of the General Council and shall call these meetings at least once a year.

Guests may be invited, without voting rights, to any of the meetings, at the invitation of the Executive President.

§4. The working procedures of the General Council will be laid down in an internal Rules of Procedure, which must be approved by the Administrative Council.

§5 The General Council advises the Foundation in the fulfilment of its statutory duties. In particular it has the task of giving its views to the Administrative Council and the Supervisory Board, ahead of the meetings of the latter body, in regard to the following:

- a) the approval of the budget,
- b) the approval of the final accounts,
- c) the amendments to the Statute of the Foundation,
- d) all other matters of fundamental importance for the development of the Foundation.

§6 Membership of the General Council shall cease upon termination of the office for which the member was appointed to this body.

His membership of the General Council will be assumed by the person appointed as his successor in this office.

### **The Ecclesiastical Assistant**

#### **Article 17**

§1. The office and responsibilities of the Ecclesiastical Assistant of the Foundation shall be assumed by a priest chosen and appointed by the Congregation for the Clergy after consultation with the Supervisory Board. Before his appointment, the Congregation for the Clergy shall obtain the approval of the competent Ordinary or Superior of the Institute to which the priest belongs.

§2. He shall be in charge of the Foundation's spiritual life, which is its "soul", in accordance with its identity and objectives.

§3. The Ecclesiastical Assistant shall work together in particular with the President and the Executive President of the Foundation, attending the meetings of its various

governing organs, and devoting himself to the spiritual and liturgical life of the community of people who form the staff of the Central Headquarters.

§4. This pastoral care of the spiritual life of the Foundation will also be realised in particular through close collaboration with the Ecclesiastical Assistants of the National Sections and Representations.

### **The National Directors' Conference**

#### **Article 18**

§1. The National Directors are the managers of the offices of the Foundation in a given country, charged with the operative direction of a National Section. Their appointment and their obligations and duties are governed by the Rules of Procedure for the Organisation and Competencies of the Sections and Representations.

§2. The National Directors' Conference advises the General Management in all essential strategic and operative matters that are of importance for the work and development of the Foundation.

§3. The National Directors' Conference consists of the General Management, the Ecclesiastical Assistant of the Foundation and the Directors of the National Sections. The Secretary General is the Chairman of the National Directors' Conference. He may at any time invite guests to take part in the meetings. The Executive President has the right to participate at any time.

## **SECTION IV IMPLEMENTATION OF THE FOUNDATION'S MISSION AT LOCAL AND CENTRAL LEVEL**

#### **Article 19**

§1. In order to maintain relations with its benefactors, the Foundation shall establish Offices of Representation in their respective countries of residence. Depending on the number of members of the family of benefactors, such offices will be either *Representations* or *National Sections*.

The Representations report directly to the Executive President. The National Sections are governed by a President, a National Board and managed by a National Director with operative responsibility. Each National Section is accompanied by a National Ecclesiastical Assistant. Further details are laid down in the Rules of Procedure for the Organisation and Competencies of the Sections and Representations, in accordance with Article 23.

All Representations and National Sections shall have charge of the pastoral animation of the benefactors, the acquisition of new benefactors, donations and the collection of offerings entrusted to the Foundation for the fulfilment of its aims.

§2. In order to ensure that funds received by the Representations and National Sections can be applied with speed and efficiency, according to the goals of the Foundation, they must be sent immediately – at least once every three months – to the Central Headquarters.

#### **Article 20**

§1. It is the task of the General Management to organize and manage the promotional activity of the Foundation.

§2. The Central Headquarters will support the Representations and National Sections in their task of informing the benefactors regarding the current needs of the Church.

§3. In order to guarantee the best possible application of the aid entrusted to the Foundation, the most efficient administrative procedures must be adopted. Whenever possible, duplication between the central and local levels must be avoided.

#### **Article 21**

The Organs, Sections and all staff and co-workers must act in such a way that the organic unity of the Foundation is plainly visible, both within the organisation and in its external relations.

### **SECTION V LOCAL BRANCHES**

#### **Establishment and closure of additional local branches**

#### **Article 22**

§1. The establishment of new *Local Branches* as National Sections or Representations, and the elevation of a Representation to the status of a National Section shall be decided by the Supervisory Board at the proposal of the Executive President.

§2. The Supervisory Board shall decide on the closure of a local branch in accordance with the Foundation's Statute and Rules of Procedure and in particular on the basis of its accordance with the nature and specific objectives of the Foundation and the disciplinary rules pertaining to them.

§3. In the event that a local branch is closed down, its assets, minus the liabilities at the time of closure, shall be devolved to the Foundation.

§4. From the moment of its exclusion, the local branch concerned shall forfeit its right to operate *nomine Ecclesiae* and to use the name "Aid to the Church in Need"/"ACN" or its translation in the appropriate language.

§5. The Supervisory Board shall issue Rules of Procedure relating to the organisation and competencies of the Sections and Representations.

### **Civil legal status of the National Sections**

#### **Article 23**

§1. The National Sections can, as such, acquire *civil legal personality* in accordance with the existing laws of their respective countries.

§2 The Statutes of the civil legal person must expressly define as *Ecclesiastical Goods* those assets pertaining to the said civil legal person, in accordance with can. 1257 § 1, CIC. They must also explicitly stipulate that, in case of the dissolution, extinction or suppression of the civil legal person, its assets shall devolve to the Foundation.

§3. The Administrative Council of the Foundation shall determine the legal format to adopt.

§4. The Statutes required for civil recognition of the Section shall, as far as possible under the prevailing national law, conform to the Canonical Statute of the Foundation and to the Sample Statute of the Sections and Representations, and must be submitted for prior approval to the Administrative Council.

#### **Article 24**

§1. Civil legal persons do not have any independence within the Foundation.

§2. Such civil legal persons, and the members of their respective Organs, are subject to the decisions that have been legitimately adopted by the Organs of the Foundation and which conform to the legal norms.

§3. Any clauses to the contrary that may be contained in the Statutes of the civil legal persons shall be deemed null and void (*pro non scriptae habentur.*)

§4. In case of conflict, Canon Law is binding and no representative or co-worker within a Section may appeal to the national law against the discipline established by the Code of Canon Law.

## **SECTION VI OTHER PROVISIONS**

### **Dissolution or Suppression**

#### **Article 25**

In case of dissolution of the Foundation, its assets shall, where possible, devolve to the Holy See, in accordance with the available means and after all obligations have been met. Should this not be possible, the recipient of these residual assets must use them for the purpose of the Foundation.

#### **Article 26**

§1. In case of dissolution or suppression of a Section or a Representation, its assets shall devolve to the Foundation, if this is compatible with the legislation of the State in which the Section or Representation is located and insofar as it does not entail any legal or financial prejudice for the Foundation. Otherwise, the assets are to be transferred to other ecclesiastical bodies that have similar aims, in accordance with the provisions of the Holy See.

§2. From the moment of its dissolution or suppression, the National Section or Representation concerned loses the right to act “nomine Ecclesiae” and use the name “Aid to the Church in Need”.

### **Procedures for resolving possible conflicts**

#### **Article 27**

§1. At the request of the President, the Supervisory Board may exclude from the Foundation members of its organs, while giving the reasons for doing so.

§2. At the request of the Executive President and with the approval of the Administrative Council, the President may exclude from the Foundation members of a National Board, while giving the reasons for doing so.

§3. Such persons are prohibited from establishing new organisations using the name “*Aid to the Church in Need*” or the respective translations of this name.

### **Financial Year**

#### **Article 28**

§1. The financial year of the Foundation shall correspond to the calendar year.

§2 The Rules of Procedure shall establish the rules for orderly book keeping and accounting, and for the auditing of the accounts.

## **Amendments to the Statute**

### **Article 29**

Amendments to the present Statute shall be adopted by the Authority that has the competence to approve the said Statute, at the request of the Congregation for the Clergy, after consultation with the President and the Supervisory Board or upon the proposal of the latter.

### **Referral rules**

### **Article 30**

Except where explicitly indicated in the present Statute, the relevant canonical and civil rules shall apply.

### **Transitional rules**

### **Article 31**

§1. Those National Sections already in existence when this Statute comes into effect are deemed already acknowledged.

§2. The National Sections must immediately adapt the Statutes of their civil legal persons to the provisions contained in the present Statute and in the sample Statute for the Sections and Representations, while taking into account the prevailing national law.

Vatican City, August 10, 2017



Pietro Card. Parolin

*Segretario di Stato di Sua Santità*