



The Holy See

APOSTOLIC LETTER
ISSUED “MOTU PROPRIO”
OF THE SUPREME PONTIFF
FRANCIS

Competentias quasdam decernere

INTRODUCING CHANGES TO SOME NORMS OF THE CODE OF CANON LAW
AND THE CODE OF CANONS OF THE EASTERN CHURCHES

The assignment of certain areas of competence with regard to the provisions of the Codes intended to safeguard unity of discipline in the universal Church, and executive power in the local Churches and ecclesial institutions, corresponds to the dynamic of ecclesiastical communion and enhances proximity. A healthy decentralization can only foster that dynamic, without prejudice to its hierarchical dimension.

Therefore, with due regard for the ecclesial culture and juridical mentality proper to each Code, I have considered it fitting to introduce changes to the current regulations in certain specific areas, by assigning their various areas of competence. They are meant, above all, to foster the sense of collegiality and pastoral responsibility of diocesan/eparchial bishops assembled in episcopal conferences, or in accordance with eastern hierarchical structures, and major superiors, but also to respect the principles of reasonableness, effectiveness and efficiency.

These changes reflect more clearly the Church’s shared and pluralistic universality, which embraces differences without leveling them, guaranteeing, with respect to her unity, the ministry of the Bishop of Rome. At the same time, they will encourage a more rapid and effective pastoral governance on the part of local authority, not least by facilitating its proximity to individuals and situations that demand it.

Wherefore, I now decree the following:

Art. 1

Canon 237 §2 CIC, on the erection of an interdiocesan seminary and its statutes, replaces the term “approval” with the term “confirmation”, and now reads:

§2. An interdiocesan seminary is not to be erected unless the conference of bishops, if the seminary is for its entire territory, or the bishops involved have obtained the prior confirmation of the Apostolic See for both the erection of the seminary and its statutes.

Art. 2

Canon 242 §1 CIC concerning the programme of priestly formation established by the episcopal conference replaces the term “approved” with the term “confirmed”, and now reads:

§1. Each nation is to have a programme of priestly formation which is to be established by the conference of bishops, attentive to the norms issued by the supreme authority of the Church, and which is to be confirmed by the Holy See. This programme is to be adapted to new circumstances, also with the confirmation of the Holy See, and is to define the main principles of the instruction to be given in the seminary and general norms adapted to the pastoral needs of each region or province.

Art. 3

Canon 265 CIC, on incardination, adds to the structures that can incardinate clerics public clerical associations which have received that faculty from the Holy See, thereby harmonizing this canon with canon 357 §1 CCEO. The text of the canon now reads:

Every cleric must be incardinated either in a particular church or personal prelate, or in an institute of consecrated life or society endowed with this faculty, or also in a public clerical association which has obtained that faculty from the Apostolic See, in such a way that unattached or transient clerics are not allowed at all.

Art. 4

Canon 604 CIC, on the order of virgins and their right to associate, includes a new paragraph formulated as follows:

§3. The diocesan bishop is competent for the recognition and erection of such associations at the diocesan level, within his territory; the conference of bishops is competent at the national level, within its own territory.

Art. 5

Canons 686 §1 CIC and 489 §2 CCEO, on the grant of an indult of exclaustation, for a grave cause, to a member professed by perpetual vows, extend the time limit for five years, after which, competence for an extension or grant is reserved to the Holy See or to the diocesan bishop. The text now reads:

CIC – can. 686 §1: With the consent of the council, the supreme moderator for a grave cause can grant an indult of exclaustation to a member professed by perpetual vows, but not for more than five years, and if it concerns a cleric, with the prior consent of the ordinary of the place in which he must reside. To extend an indult or to grant it for more than five years is reserved to the Holy See, or to the diocesan bishop if it concerns institutes of diocesan right.

CCEO – can. 489 § 2: The eparchial bishop can grant this indult only for up to five years.

Art. 6

Canon 688 §2 CIC and canons 496 §§1-2 and 546 §2 CCEO, on individuals temporarily professed who ask, for a grave cause, to leave the institute, assign competence for the relevant indult to the supreme moderator, with the consent of the council. For the Latin Code, this applies to both institutes of pontifical right and institutes of diocesan right, as well as autonomous monasteries; for the Eastern Code, it applies to a monastery sui iuris or to an order or congregation.

Consequently, canon 496 §2 CCEO is eliminated; the other canons now read:

CIC – can. 688 §2: During the time of temporary profession, a person who asks to leave the institute for a grave cause can obtain an indult of departure from the supreme moderator with the consent of his or her council; in the case of an autonomous monastery, mentioned in can. 615, however, the bishop of the house of assignment must confirm the indult for it to be valid.

CCEO – can. 496: One who during temporary profession wishes for a grave cause to leave the monastery and return to secular life is to present a petition to his or her superior of the monastery *sui iuris*. The superior, with the consent of his or her council, grants the indult, unless particular law reserves this to the patriarch for monasteries located within the territorial boundaries of the patriarchal Church.

CCEO – can. 546 §2: One who, while still in temporary vows, requests for a grave cause to leave the order or congregation, can obtain from the superior general with the consent of his or her council the indult to leave the order definitively and return to secular life, with the effects mentioned in can. 493.

Art. 7

Canons 699 §2 and 700 CIC and canons 499, 501 §2 and 552 §1 CCEO are modified, so that that the decree of dismissal from an institute, for a grave cause, of a temporarily or perpetually professed member takes effect from the time that the decree, issued by the supreme moderator with the consent of his or her council, is communicated to that member, who retains the right to appeal. The texts of the respective canons are thus modified and reformulated as follows:

CIC – can. 699 §2: In the autonomous monasteries mentioned in can. 615, it belongs to the major superior, with the consent of his or her council, to decide on dismissal.

CIC – can. 700: A decree of dismissal issued in the case of a professed member takes effect from the time that it is communicated to the member concerned. To be valid, however, the decree must indicate the right which the dismissed possesses to make recourse to the competent authority within ten days from receiving notification. The recourse has suspensive effect.

CCEO – can. 499: A member can be dismissed during temporary profession by the superior of the monastery *sui iuris* with the consent of his or her council according to can. 552 §§2 and 3, but, for validity, the dismissal must be confirmed by the patriarch if particular law so establishes for monasteries situated with the territorial boundaries of the patriarchal Church.

CCEO – can. 501 §2: However, the member can, within fifteen days, either make recourse with suspensive effect against the decree of dismissal or request that the case be handled judicially.

CCEO – can. 552 §1: A member in temporary vows can be dismissed by the superior general with the consent of his or her council.

Art. 8

Canon 775 §2 CIC, on the publication of catechisms by an episcopal conference for its own territory, replaces the term “approval” with the term “confirmation”, and now reads:

§2: If it seems useful, it is for the conference of bishops to take care that catechisms are issued for its territory, with the previous confirmation of the Apostolic See.

Art. 9

Canon 1308 CIC and canon 1052 CCEO, on reducing the obligations of Masses, modify competence, and now read:

CIC – can. 1308 §1: A reduction of the obligations of Masses, to be made only for a just and

necessary cause, is reserved to the diocesan bishop and to the supreme moderator of a clerical institute of consecrated life or a society of apostolic life.

§2: With regard to Masses independently founded in legacies, the diocesan bishop has the power, because of diminished revenues and for as long as the cause exists, to reduce the obligations to the level of offering legitimately established in the diocese, provided that there is no one obliged to increase the offering who can effectively be made to do so.

§3: The diocesan bishop also has the power to reduce the obligations or legacies of Masses binding an ecclesiastical institute if the revenue has become insufficient to pursue appropriately the proper purpose of the institute.

§4: The supreme moderator of a clerical institute of consecrated life or a society of apostolic life possesses the same powers mentioned in §§2 and 3.

CCEO – can. 1052 §1: A reduction of the obligations of celebrating the Divine Liturgy is reserved to the eparchial bishop and to the major superior of religious institutes or societies of common life according to the manner of religious that are clerical.

§2: An eparchial bishop has the power, because of a diminution of revenues and while this lasts, to reduce the number of the celebrations of the Divine Liturgy to the level of the offerings legitimately in force in the eparchy, provided there is no one who is bound by obligation and can effectively be forced to increase the offering.

§3: An eparchial bishop also has the power to reduce the obligations of celebrating the Divine Liturgy which burden ecclesiastical institutes, if the revenues have become insufficient to pursue those purposes which, at the time of the acceptance of the same obligations, could have been obtained.

§4: Superiors general of clerical religious institutes or societies of common life according to the manner of religious also have the powers mentioned in §§2 and 3.

§5: An eparchial bishop can delegate the powers mentioned in §§2 and 3 only to a coadjutor bishop, auxiliary bishop, protosyncellus or syncellus, excluding any subdelegation.

Art. 10

Canon 1310 CIC and canon 1054 CCEO on the obligations connected to pious causes and pious foundations modify competence, and now read:

CIC – can. 1310 §1: The ordinary, only for a just and necessary cause, can reduce, moderate or

commute the wills of the faithful for pious causes, after having heard those concerned and his own finance council and with the intention of the founder preserved as much as possible.

§2: In other cases, recourse is to be made to the Apostolic See.

CCEO – can. 1054 §1: The hierarch, only for a just and necessary cause, can reduce, moderate or commute the wills of the Christian faithful who give or leave their goods for pious causes, after having heard those concerned and the competent council and having kept in the best way possible the will of the founder.

§2: In other cases regarding this matter, the Apostolic See or the patriarch must be approached; the latter is to act with the consent of the permanent synod.

All that I have determined in this Apostolic Letter issued “*Motu Proprio*”, I order to have full and stable effect, anything to the contrary notwithstanding, even if worthy of particular mention, and I decree that it be promulgated by publication in “*L’Osservatore Romano*”, to take effect on 15 February 2022, and subsequently be published in the official commentary *Acta Apostolicae Sedis*.

Given in Rome, at Saint Peter’s, on 11 February, the Memorial of Our Lady of Lourdes, in the year 2022, the ninth of my Pontificate.

FRANCIS