

# CANONS OF THE PARTICULAR LAW OF THE UKRAINIAN GREEK CATHOLIC CHURCH

## Subjects of Particular Law

**Can. 1** (CCEO c. 1) The canons of this particular law affect all and solely the faithful of the Ukrainian Greek Catholic Church.

### The Patriarchal/Major Archiepiscopal Church (CCEO Title IV)

#### **The Election of the Patriarch/Major Archbishop**

**Can. 2** (CCEO c. 64) In order for a person to be considered suitable for the office of patriarch/major archbishop, he should have completed 40 years of age and have been a priest for a minimum of 10 years. The patriarch/major archbishop is selected from among the bishops, unless the members of the synod of bishops determine otherwise.

**Can. 3** (CCEO c. 65 §2) For the election of a patriarch/major archbishop, the synod of bishops must be convened within two months from the day of the vacancy of the see.

**Can. 4** (CCEO c. 70) The one to preside over the synod of bishops called for the election of a patriarch/major archbishop, is the eparchical bishop of the oldest eparchy on the territory of the patriarchal/major archiepiscopal Church.

**Can. 5** (CCEO c. 71 §1) The secretary of the synod of bishops of the patriarchal/major archiepiscopal Church is to function as the secretary for the synod called for the election of a patriarch/major archbishop. The position of tellers is filled by the youngest of those according to episcopal ordination. If the secretary of the synod is temporarily unable to be present at the synod, the presider of the synod, with the consent of the permanent synod, is to appoint, in the interim, a secretary from among the bishops of the synod.

**Can. 6** (CCEO c. 72 §1) In the election of a patriarch/major archbishop, the one is elected who obtains two-thirds majority of the votes. If after three ballots no one has obtained the appropriate number of votes then the fourth ballot is conducted for the two candidates who received the majority of votes in the third ballot; of these two candidates, the one who receives a majority vote is the one elected. If in the third and fourth ballots there is a tie between two candidates, then the one elected is the one who is the senior bishop according to episcopal ordination. If the date of installation of both candidates is the same, then the one elected is the one who is senior according to priestly ordination.

#### **Rights and Obligations of the Patriarch/Major Archbishop**

**Can. 7** (CCEO c. 83 §1) It is the right and obligation of the eparchical bishop to make canonical visitations within his own eparchy. The patriarch/major archbishop, after agreeing with the eparchical bishop or exarch as to the time and schedule, has the right and obligation to conduct a pastoral visitation of the same eparchy or exarchate at least once in a five year period.

**Can. 8** (CCEO c. 86 §1) The patriarch/major archbishop is competent to ordain metropolitans either personally, or if he is impeded, through other bishops. The patriarch/major archbishop is also competent to ordain all bishops of the patriarchal/major archiepiscopal Church.

**Can. 9** (CCEO c. 89 §2) The patriarch/major archbishop can commit a function of conducting affairs which regard the entire patriarchal/major archiepiscopal Church to any cleric, after having consulted with the proper eparchical bishop or, in the case of a member of a religious institute or a society of consecrated life in the manner of religious, the major superior. The patriarch/major archbishop can also subject the cleric immediately to himself while exercising this function.

**Can. 10** (CCEO c. 94) The patriarch/major archbishop must celebrate the Divine Liturgy for the people of the entire Church over which he presides, every Sunday and on feast days established by the synod of bishops.

### **The Synod of Bishops**

**Can. 11** (CCEO c. 102 §2) In keeping with the canons on the election of the patriarch/major archbishop, the bishops and candidates for office mentioned in CCEO can. 149, all eparchical bishops, coadjutors, exarches, bishops-administrators, auxiliary bishops and titular bishops who hold office in the patriarchal/major archiepiscopal Church, have a deliberative vote.

**Can. 12** (CCEO cc. 102 §3) §1. Bishops who are not members of the synod, can be invited to participate in the proceedings of the synod and possess a consultative voice.

§2. The patriarch/major archbishop can invite others, namely: priest-experts, deacons, religious or lay persons to give their opinions. Experts are to observe secrecy in all matters during sessions of the synod, are to be present only for their presentations and the discussion following it and do not have a deliberative vote.

**Can. 13** (CCEO c. 106 §2) The synod of bishops is to be convoked annually at the time established by them.

**Can. 14** (CCEO c. 107 §§1-2) Any session of the synod of bishops is canonical and any balloting is valid if the majority of the bishops who are obliged to attend the same synod are present. With due regard for CCEO canons 72, 149 and 183, §§3-4, the synodal decisions acquire the force of law, if in fact, the absolute majority of the bishops who are obliged to attend the synod are present, if it was announced that an absolute majority was present; and if there was a tie in the number of votes cast, then the presider is to break the tie.

**Can. 15** (CCEO c. 111 §1) Laws which are passed by the synod of bishops, are promulgated by the patriarch/major archbishop by means of publication in the journal *Blahovisnyk*. Laws acquire force after two months from the date of promulgation, unless it is expressly stated otherwise.

### **The Patriarchal Finance Officer**

**Can. 16** (CCEO c. 122 §2) The patriarchal finance officer is appointed for a term of five years; during the tenure he cannot be removed by the patriarch/major archbishop without the consent of the synod of bishops of the patriarchal/major archiepiscopal Church or, if there is danger in delay, that of the permanent synod.

## **The Vacant Patriarchal See**

**Can. 17** (CCEO c. 127) During a vacancy of the patriarchal see, the administrator of the patriarchal/major archiepiscopal Church is the eparchical bishop of the oldest eparchy (cfr. can. 4 of the particular law); if he is unable to be present, then the one who is the senior member of the permanent synod according to episcopal ordination. If no candidate is senior according to the date of installation then the administrator is the one who is senior according to age.

## **Eparchies and Bishops (CCEO title VII)**

### **The Election of Bishops**

**Can. 18** (CCEO c. 182 §1) Candidates suitable for the episcopate can be proposed only by members of the synod of bishops of the patriarchal/major archiepiscopal Church who can, according to the statutes of the synod, collect information and documents which are necessary to establish the suitability of the candidates, hearing, if they think it appropriate, secretly and individually, certain presbyters or also other faithful outstanding in prudence and Christian life.

**Can. 19** (CCEO c. 186 §1) If the synod of bishops cannot be convened after two months, the patriarch/major archbishop, after consulting the Apostolic Roman See, can request the vote of the bishops by letter. In this case, and for the validity of the act, the patriarch/major archbishop must employ the services of two episcopal tellers who are to be designated by him with the consent of the permanent synod.

### **Rights and Obligations of the Eparchical Bishops**

**Can. 20** (CCEO c. 194) The eparchical bishop can confer dignities only upon clerics subject to him.

**Can. 21** (CCEO c. 198) The eparchical bishop is to celebrate the Divine Liturgy for the faithful of the eparchy every Sunday and on the days prescribed by the common law and on those days mentioned in can. 114 of the particular law.

**Can. 22** (CCEO c. 199 §2) The eparchical bishop is to see to it that in his own cathedral at least part of the divine praises are celebrated, even daily; also in every parish if possible, the divine praises are to be celebrated on Sundays, feast days, principal solemnities and their vigils.

**Can. 23** (CCEO c. 204 §3) The eparchical bishop, except for some grave cause, must not be absent from his eparchy on days of special solemnity established according to tradition.

### **The Vacant Eparchical See**

**Can. 24** (CCEO c. 220, n.2) Until the appointment of an administrator of an eparchy within the territory of the patriarchal/major archiepiscopal Church, the ordinary power of the eparchical bishop transfers to the patriarch.

**Can. 25** (CCEO c. 224 §3) When the eparchial see is vacant, the auxiliary bishop retains the power which he enjoyed as protosyncellus or syncellus when the see was occupied and which is conferred upon him by the law; this authority is to be exercised under the authority of the administrator of the eparchy unless otherwise determined by the patriarch/major archbishop.

**Can. 26** (CCEO c. 230) §1. The patriarch/major archbishop, after consulting the eparchial finance officer and the college of eparchial consulters, is to establish an appropriate remuneration for the administrator of an eparchial see, on the territory of the patriarchal/major archiepiscopal Church, which is to be taken from the goods of the eparchy.

§2. Outside of the territorial boundaries of the patriarchal/major archiepiscopal Church, the college of eparchial consulters is to establish an appropriate remuneration for the administrator of the eparchy.

§3. The administrator of an eparchy designates the use of eparchial goods only after receiving the consent of the finance officer and the college of consulters.

## Governance of the Eparchy

### The Eparchial Assembly (Sobor)

**Can. 27** (CCEO c. 238 §1) The following are to be summoned to the eparchial assembly and must be present for it:

1<sup>o</sup> the members of the presbyteral council and some delegates from the pastoral council, if it exists, elected by the same council in the manner and number determined by the statutes;

2<sup>o</sup> the members of the eparchial commissions, elected in the manner and number determined by the eparchial bishop;

3<sup>o</sup> some deacons, elected by the presbyteral council in the number established by the eparchial bishop;

4<sup>o</sup> superiors of autonomous monasteries and some superiors of other institutes of consecrated life which have houses in the eparchy, to be elected in the manner and number established by the eparchial bishop and not to exceed the number of presbyters.

**Can. 28** (CCEO c. 242) The eparchial bishop is to communicate the text of the laws, declarations and decrees which have been decided upon at the eparchial assembly, to the metropolitan and the patriarch/major archbishop.

### The Protosyncellus and Syncelli (The Vicar General and Episcopal Vicars)

**Can. 29** (CCEO c. 247 §2) The protosyncellus and syncellus can be celibate or married priests. Insofar as it is possible, they should be from the clergy enrolled in the eparchy, not less than thirty years of age, have a doctorate or licentiate or at least be expert in some sacred science, of sound doctrine, uprightness, prudence and experience in handling matters.

### Duties of the Chancellor

**Can. 30** (CCEO c. 252 §1) In the eparchial curia a chancellor is to be appointed who is to be a presbyter or a deacon and whose principle obligation is to see that the acts of the curia are gathered and arranged as well as preserved in the archives of the eparchial curia, as well as other duties which are determined by the eparchial bishop.

## **The Eparchial Finance Officer**

**Can. 31** (CCEO c. 262 §2) The eparchial finance officer is appointed for a term of five years. He is not to be removed during his term of office except for serious cause and after consulting the college of consulters and the finance council.

## **The Finance Council**

**Can. 32** (CCEO c. 263 §§1, 5) §1 The eparchial bishop is to establish a finance council which consists of a president, who is the eparchial bishop himself, and of other qualified persons expert, if possible, in civil law, appointed by the eparchial bishop after consulting the college of eparchial consulters, according to CCEO can. 922 §1.

§2. Besides other duties given to it according to common law, the finance council is to prepare an annual budget on the projected income and expenses for the operation of the eparchy and a report on the income and expenses of the last fiscal year. The eparchial bishop, after consulting the finance council, is to determine the manner of producing this information according to CCEO can. 922 §1.

## **The Presbyteral council**

**Can. 33** (CCEO c. 265) The presbyteral council is to have its own statutes, approved by the eparchial bishop.

**Can. 34** (CCEO c. 266) In regard to the constitution of the presbyteral council, at least half of the members are to be elected by the priests themselves, according to the statutes.

## **Protopresbyters (Deans)**

**Can. 35** (CCEO c. 277 §§1-2) The office of protopresbyter must not be joined in a stable manner to the office of pastor of a certain parish; the eparchial bishop, having heard, if he considers it opportune, the pastors and parochial vicars of the district in question, is to appoint a presbyter especially among the pastors, one who has been a priest for at least five years and is outstanding for his doctrine and apostolic fervour.

The protopresbyter is appointed for a term of three years, renewable.

**Can. 36** (CCEO c. 278 §1) Besides the obligations mentioned in the common law, the protopresbyter has the following rights and obligations:

1<sup>o</sup> to install a new pastor into a parish in his protopresbyterate, according to the norms of the liturgical books, unless the eparchial bishop determines otherwise;

2<sup>o</sup> to convoke meetings of the priests of the presbyterate, according to the decision of the eparchial bishop; to give an accounting of the moral and material disposition of the deanery, about positive and negative situations in the presbyterate and what was done to rectify them;

3<sup>o</sup> to see to it that the pastors receive the holy myron and that the old chrism is burnt;

4<sup>o</sup> to see to it that parishes, churches, schools and libraries have sufficient amount of Christian publications, books, videos and audio materials;

5<sup>o</sup> to visit every parish at least once a year, to see that the financial goods of the parishes and publishing of books are properly administered;

If the pastor is to be absent from the parish for more than eight days, and after receiving permission from the eparchial bishop, he is to inform his protopresbyter, who is then to appoint a replacement. The eparchial bishop, if he deems it necessary, can publish additional norms.

## **Organization of Parishes**

### **The Pastor**

**Can. 37** (CCEO c. 284) To entrust a parish to a member of a religious institute or society of common life in the manner of religious, the major superior is to propose a suitable priest of his institute or society to the eparchial bishop for appointment, with due regard for agreements entered into with the eparchial bishop.

The eparchial bishop, by means of a decree, can name a pastor for a term of five years, renewable for an additional 5-year term. If the eparchial bishop deems it necessary, he can also require that the proposed candidates be given an appropriate exam.

**Can. 38** (CCEO c. 287 §2) In the same parish there is to be only one pastor; however, a parish may be entrusted to several presbyters; the eparchial bishop is to determine accurately the rights and obligations of the moderator, who directs the common action and reports on it to the eparchial bishop, and what belongs to the competence of the other presbyters.

### **Can. 39** (CCEO c. 288)

§1. The pastor acquires the care of souls by canonical provision; however, he is not allowed to exercise his office unless he has taken canonical possession of the parish.

§2. The introduction of the pastor into the parish takes place in the manner determined by the eparchial bishop.

**Can. 40** (CCEO c. 294) The pastor is obliged to celebrate the Divine Liturgy for the faithful of the parish entrusted to him, every Sunday and on Holy Days of obligation.

If more than one parish is entrusted to a pastor or church, he is obliged to celebrate only one Divine Liturgy for the intentions of the people entrusted to him.

If the pastor, with a just cause, is unable to fulfill this obligation, then he can delegate it to the associate or to another priest.

### **Councils within the Structure of the Parish Community**

**Can. 41** (CCEO c.295) In the parish there are to be financial, pastoral and other councils, which are instituted to assist the pastor in fulfilling his pastoral obligations. The manner of formation and extent of the activities of the councils is to be determined by the eparchial bishop. Each parish council is to have its own statutes.

### **Parochial Archives**

**Can. 42** (CCEO c. 296 §1) The parish baptismal and chrismation register is to be kept in two copies: one to be kept in the parish church, the other in the archives of the eparchial curia. Besides the books named in common law, the pastor is to see to it that the following books are properly filled out and preserved, namely registers of:

- prenuptial investigations and marriages,
- funerals,
- parish financial statements in two copies,
- requests for Divine Liturgies,
- the sick,
- obligations to foundations,

and also the minutes of parish meetings and a list of parishioners.

## **The Loss of Pastoral Governance**

**Can. 43** (CCEO c. 297 §2) When a pastor has completed his seventy-fifth year of age, he is requested to submit his resignation from office to the eparchial bishop, who, after consultation with the eparchial consulters, is to provide for the suitable support of the priest whose resignation he accepted.

## **The Rights and Obligations of the Parochial Vicar**

**Can. 44** (CCEO c. 302 §1) The rights and obligations of the parochial vicar are derived from common law as well as from the letters of the eparchial bishop, except for the obligation mentioned in CCEO can. 294; unless determined otherwise, the parochial vicar must, in virtue of his office, assist the pastor in the entire parochial ministry, and when necessary, substitute for the pastor.

## **Exarchs and Exarchates (CCEO Title VIII)**

### **Privileges of the Exarch after Loss of Governance**

**Can. 45** (CCEO c. 321 §2) After he has carried out or lost his mandate and governance, the exarch retains all of his privileges and insignia, unless it is contrary to common law.

## **Clerics (CCEO Title X)**

### **Minor Orders and Formation of Clerics**

**Can. 46** (CCEO c. 327) Besides bishops, presbyters or deacons, also other ministers who have received minor orders, generally called minor clerics, are admitted or instituted for the service of the people of God or to exercise the rituals of the Sacred Liturgy.

It is the duty of the eparchial bishop to produce suitable norms according to the liturgical practices for the function of those in minor orders.

**Can. 47** (CCEO c. 329 §2) In every eparchy there is to be a commission founded for the purpose of promoting vocations; these projects ought to be open to the needs of the universal church, especially missionary needs. The members of the commission are to be from among the clergy, religious and laity; the number of members is to be established by the statutes.

**Can. 48** (CCEO c. 331 §1) In the minor seminary, in the first place those who seem to show signs of a vocation to the sacred ministry are to be instructed so that they can more easily and clearly discern the vocation themselves and refine it by a dedicated spirit; others also can be instructed who, even though they do not seem to be called to the clerical state, can be formed to fulfill certain ministries or apostolic works.

Other institutes, which serve the same purposes, even if they differ in name, are equivalent to a minor seminary.

**Can. 49** (CCEO c. 335 §2) The rector of the seminary represents it in the handling of all matters unless the statutes, approved by the eparchial bishop, state otherwise.

**Can. 50** (CCEO c. 353) The eparchial bishop is to take care that the candidates, under the supervision of an experienced priest, receive exercises and tests strengthening pastoral formation, in such areas as:

- social or charitable service;
- catechetical instruction;
- in the pastoral internship during philosophical-theological formation, and especially during vacations and diaconal internship prior to ordination to the presbyterate.

### **Norms which Regulate the Enrollment of Clerics in an Eparchy**

**Can. 51** (CCEO c. 357 §2) The enrolment of clerics in some eparchy or dismissal from it is also applicable with the appropriate modification to those juridical persons mentioned in CCEO can. 357 §1, as well as to the patriarchal/major archiepiscopal Church, unless the law clearly states otherwise.

**Can. 52** (CCEO c. 358) Through diaconal ordination one is enrolled as a cleric in the eparchy for whose service he is ordained.

**Can. 53** (CCEO c. 365 §2) For the licit transfer to an eparchy of another individual Church, it is required that the eparchial bishop releasing the cleric obtain the consent of the patriarch/major archbishop.

### **Rights and Obligations of Clerics**

**Can. 54** (CCEO c. 369 §2) Clerics are to attach great importance to the spiritual director and his guidance, according to the norms established by the eparchial bishop, and to take part in an annual retreat of at least five days.

**Can. 55** (CCEO c. 374) Clerics, celibate or married, are to excel in the virtue of chastity, proper to their state. It is the duty of the eparchial bishop to establish suitable means for pursuing this end.

**Can. 56** (CCEO c. 377) All clerics must celebrate the divine praises daily, either publicly or privately, unless they are unable to do so for a just cause.

**Can. 57** (CCEO c. 378) Clerics are to celebrate the Divine Liturgy on Sundays and on prescribed Holy Days; indeed daily celebration is eagerly encouraged.

**Can. 58** (CCEO c. 382) Clerics are to abstain completely from all those things unbecoming to their state, according to the norms established by the eparchial bishop.

**Can. 59** (CCEO c. 384 §2) Clerics are not to have an active part in political parties nor in the supervision of labour unions unless the eparchial bishop, after consulting with the eparchial consulters, determines otherwise, or if the patriarch/major archbishop determines that there is a need to protect the rights of the Church or to promote the common good.

**Can. 60** (CCEO c. 385 §2) Clerics are forbidden to exercise by themselves or through another, any business or trade, whether for their own benefit or for that of another, unless the eparchial bishop, after hearing the college of consulters, gives written permission.

**Can. 61** (CCEO c. 386 §1) A cleric, even if he does not have a residential office, can be absent from the eparchy. If the period of absence is more than eight days, the cleric is to have the permission, or at least presumed permission, of the local hierarch.

**Can. 62** (CCEO c. 387) The attire of clerics should reflect that of a spiritual person. Religious clerics are to observe the prescriptions of their superiors.

**Can. 63** (CCEO c. 390 §2) If the clerics are married, they also have the right that there be provided, for themselves as well as for their families, suitable pension funds, social security as well as health benefits. For this reason clerics are bound to contribute to the mentioned in CCEO can. 1021 §2.

**Can. 64** (CCEO c. 392) Clerics have a right to an annual vacation of one month; the eparchical bishop is to issue norms concerning replacements.

## Lay Persons (CCEO Title XI)

### **Admission of Laity to Ecclesiastical Functions**

**Can. 65** (CCEO c. 408 §2) Besides those ecclesiastical functions to which lay persons are by common law admitted, they may be admitted by the eparchical bishop or with his permission, another competent authority, to other functions, taking into consideration the need and circumstances, excepting those functions which require Hold Orders.

## Institutes of Consecrated Life (CCEO title XII)

### **The Permanent Council of Religious Institutes**

**Can. 66** (CCEO c. 422 §2) In religious houses of less than six members, the permanent council can be established with the approval of the major superiors, according to their statutes.

### **Return to Secular Life**

**Can. 67** (CCEO c. 496 §2) The superior of the monastery, together with his or her letter of opinion and that of the council, shall forward the petition to return to secular life, to the eparchical bishop whose competence it is, to grant the indult of departure from the monastery and return to secular life, even for a monastery of pontifical right. Within the territory of a patriarchal/major archiepiscopal Church, the patriarch/major archbishop is competent to grant the indult.

### **Dismissal from the Monastery**

**Can. 68** (CCEO c. 499) A member can be dismissed during temporary profession by the superior of an independent monastery with the consent of the council according to CCEO can. 552 §§2 and 3, however, for validity, the dismissal must be confirmed by the eparchical bishop.

### **Foundation of Secular Institutes**

**Can. 69** (CCEO c. 569) Within the territory of the patriarchal/major archiepiscopal Church, the patriarch/major archbishop, with the consent of the permanent synod, can establish secular institutes and approve their statutes; in other circumstances, this is within the competence of the eparchical bishop with the consent of the presbyteral council.

### **Other forms of Consecrated Life**

**Can. 70** (CCEO c. 570) The eparchical bishop can establish other kinds of ascetical life according to the eremitical model, whether or not those persons belong to an institute of consecrated life; likewise consecrated virgins and widows who live on their own in the world having professed chastity.

### **Societies of Apostolic Life**

**Can. 71** (CCEO c. 572 )Societies of apostolic life whose members without religious vows pursue the particular apostolic purpose of the society, and leading a life as brothers in common, according to their own way of life, strive for the perfection of love through the observance of their constitutions, and those societies which are comparable to institutes of consecrated life, are governed only by the regulations of the eparchical bishop or the prescriptions established by the Apostolic See.

## **Associations of the Christian Faithful (CCEO Title XIII)**

**Can. 72** (CCEO c. 573 §2) Other associations, even if praised and recommended by ecclesiastical authority, are called private associations; these associations are recognized by the Church if their statutes are approved by the eparchical bishop and if they minister under his vigilance, according to CCEO can. 577.

## **Evangelization (CCEO Title XIV)**

### **Catechumens**

**Can. 73** (CCEO c. 587 §3) Norms concerning enrolment in the catechumenate and rights and obligations of the catechumens, are outlined in the directory on the catechumenate, which are approved by the patriarch/major archbishop.

### **Catechists**

**Can. 74** (CCEO c. 591) It is necessary that catechists be sufficiently instructed, so that, being valid cooperators of the sacred ministers, they can fittingly carry out their function in evangelization, and also in liturgical activity; the eparchical bishop is to see that catechists receive a just remuneration. In the functioning of their ministry, catechists are to utilize the Catechetical Directory (CCEO can. 621 §2), which was approved by the patriarch/major archbishop.

## **The Teaching Office of the Church (CCEO Title XV)**

**Can. 75** (CCEO c. 610 §3) Deacons too have the same faculty to preach where they are legitimately assigned.

## **Homilies**

**Can. 76** (CCEO c. 614 §4) The homily is reserved to a priest or also to a deacon with the approval of the bishop.

## **Participation of the Faithful in areas of Social Communication**

**Can. 77** (CCEO c. 653) Sacred ministers and also other faithful, who habitually, temporarily or occasionally make use of the instruments of social communication explaining that, which deals with Catholic doctrine or morals, are obligated to receive written permission from the eparchical bishop.

It is for the metropolitan or eparchical bishop to establish more detailed norms.

## **The Rights of Authors**

**Can. 78** (CCEO c. 666 §3) The rights of authors are protected under canonical, civil and international law.

# Divine Worship and the Holy Mysteries (CCEO Title XVI)

## **The use of Catholic Places of Worship by non-Catholics**

**Can. 79** (CCEO c. 670 §2) If non-Catholic Christians lack a place in which divine worship can be celebrated with dignity, the eparchical bishop can grant the permission to use a Catholic building, cemetery or church, at the request of the non-Catholic competent authority, however, as long as the faithful are not scandalized by it.

## **Non-Catholics and the Holy Mysteries**

**Can. 80** (CCEO c. 671 §5) For the cases mentioned in CCEO can. 671, §§2, 3 and 4, the eparchical bishop is to establish additional norms, after consultation with the interested competent authority, according to the norms of common law.

## **Baptism**

**Can. 81** (CCEO c. 677 §1) Baptism is administered ordinarily by a priest, but foremost, it is the obligation of the pastor of the person to be baptized. Another priest lawfully baptizes with the permission of the same pastor or the local hierarch; this permission is lawfully presumed for a serious reason.

**Can. 82** (CCEO c. 685 §2) In order for one to assume the role of godparent, he or she must be at least 16 years of age and lead a life in harmony with the regulations of the Church.

**Can. 83** (CCEO c. 687 §2) Baptism can take place in private homes with the permission of the local hierarch.

**Can. 84** (CCEO c. 689 §3) If it is a case of an adopted child, the names of the adoptive parents are to be recorded, and - at least if it is done in the civil records of the region, - the names of the natural parents, according to CCEO can. 689, §§1 and 2.

## **Chrismation**

**Can. 85** (CCEO c. 693) Holy Myron, which is made from oil of olives or oil from other plants and from aromatics, is confected only by the bishop or the patriarch/major archbishop.

## **Eucharist**

**Can. 86** (CCEO c. 697) Sacramental initiation in the mystery of salvation is perfected in the reception of the Most Holy Eucharist which is administered as soon as possible after baptism and chrismation.

**Can. 87** (CCEO c. 699 §3) Other faithful, by virtue of baptism and chrismation with holy myron, assembled for the Divine Liturgy, take active part in the Sacrifice of Christ in the manner determined by the liturgical books. This participation is more complete if the faithful receive the Body and Blood of Christ from the same Sacrifice.

**Can. 88** (CCEO c. 704) It is recommended to celebrate the Divine Liturgy on all days, except on those which are excluded according to the prescriptions of the liturgical books.

**Can. 89** (CCEO c. 707 §1) With respect to the preparation of the Eucharistic bread, the prayers said by the priests before the celebration of the Divine Liturgy, the observance of the Eucharistic fast, the appointed time and place of the celebration, information pertaining to liturgical vestments, and the like, it is necessary to follow the liturgical norms which are established by the synod of bishops.

**Can. 90** (CCEO c. 708) The local hierarchs and the pastors are to see that, with every diligence, the faithful are instructed on the obligation to frequently receive the Divine Eucharist, especially in danger of death and also on Holy Days of obligation, especially during the Easter season.

**Can. 91** (CCEO c. 709 §1) The Divine Eucharist is distributed by the priest, and if necessary, also the deacon.

**Can. 92** (CCEO c. 710) With respect to the participation of infants in the Divine Eucharist after baptism and chrismation, the prescriptions of the eparchical bishop of the place are to be observed, in accordance with CCEO can. 697.

**Can. 93** (CCEO c. 713 §2) Concerning the preparation for participation in the Divine Eucharist through fast, prayers and other works, the faithful are to observe the norms of the liturgical books and to fast at least one hour prior to Holy Communion. Water and medicine taken prior to Holy Communion does not break the fast.

**Can. 94** (CCEO c. 715) In accordance with CCEO can. 717, it is permissible to receive offerings for the celebration of Divine Liturgies, accordingly, also for the Liturgy of the Pre-sanctified Gifts, and also for commemorations in liturgies and other liturgical services if it is the custom.

## **Penance**

**Can. 95** (CCEO c. 736 §1) Under ordinary circumstances, the Mystery of Penance is to be celebrated in a church.

## **Anointing of the Sick**

**Can. 96** (CCEO c. 741) The oil to be used in the Mystery of Anointing the Sick ought to be blessed by the same priest who administers the Mystery.

## **Holy Orders**

**Can. 97** (CCEO c. 749) It is prohibited for a bishop to ordain a candidate to Holy Orders in another eparchy without the permission of the eparchial bishop; the patriarch/major archbishop can ordain a candidate in another eparchy with prior notification given to the eparchial bishop.

**Can. 98** (CCEO c. 758 §1) Minor Orders are celebrated according to the *Archieratikon*. The Orders of cantor and sub deacon are administered the same day, between sub diaconate and diaconate should pass at least one day, between the diaconate and the priesthood - one year, unless the eparchial bishop, under other circumstances, determines otherwise.

**Can. 99** (CCEO c. 758 §3) Under ordinary circumstances, married candidates can be ordained a minimum of one year after exemplary married life, which bears witness to the domestic Church, unless the eparchial bishop, under other circumstances, determines otherwise.

**Can. 100** (CCEO c. 759 §1) For admission to Holy Orders, apply the following norms:

- the prescribed age for the diaconate is the completion of 23 years;
- for the priesthood, the completion of 24 years.

Dispensation of more than one year from the age required according to the norm of common law, is reserved to the patriarch/major archbishop, if it is a case of a candidate who has a domicile or quasi-domicile within the territorial boundaries of the patriarchal/major archiepiscopal church, in other circumstances - to the Apostolic Roman See.

## **Can. 101** (CCEO c. 760)

§1. It is permissible to ordain a deacon only after successful completion of the fourth year of philosophical-theological studies and spiritual formation.

§2. If it is a case of a candidate who is not destined for the priesthood, it is permitted to ordain him a deacon only after successful completion of the third year of studies, which is mentioned in CCEO can. 354; if, however, it happens that this candidate is admitted to the priesthood in the future, then he must first complete the theological studies and spiritual formation, prior to ordination.

**Can. 102** (CCEO c. 771 §1) The name of the candidate for sacred orders is to be announced in the parish where he was baptized, in the parish in which he resided for the longest period of time and especially in the seminary.

**Can. 103** (CCEO c. 772) The candidate for sacred orders must take part in a full five-day retreat. In other circumstances, when the ordination occurs without a great interval of time, and prior to reception of orders, the candidate is obliged to have at least a one day retreat and confession.

## **Marriage**

**Can. 104** (CCEO c. 782 §1) Prior to marriage, it is permitted to take part in the engagement ceremony; the rite of engagement, according to the prescriptions of the liturgical books, can be administered during a given period apart from the marriage ceremony.

**Can. 105** (CCEO c.784) The eparchial bishop, after consultation with the eparchial bishops of other individual Churches exercising governance in the same territory, is to issue norms concerning the examination of the parties and also other means for inquiries prior to the marriage, especially those which concern baptism and the freedom to marry, and after diligent observance of such norms, the celebration of marriage can proceed.

**Can. 106** (CCEO c. 800 §2) The age for the licit celebration of marriage should be agreed upon by every eparchial bishop, taking into account the requirements of the civil law for the lawful age for marriage.

**Can. 107** (CCEO c. 814) In the case of a mixed marriage, the Catholic party is bound to make a declaration that he or she is prepared to remove dangers of falling away from the faith and is to make a sincere promise to do all in his or her power to have all their children baptized and educated in the Catholic Church. The non-catholic party is to be informed of these declarations in the manner determined by the eparchial bishop.

**Can. 108** (CCEO c. 831 §2) Marriage is to be celebrated before the pastor of either the bride or the groom.

**Can. 109** (CCEO c. 837 §2) Marriage cannot be validly celebrated by proxy.

**Can. 110** (CCEO c. 838 §2) In certain cases, marriage is permitted to take place during periods of fast.

**Can. 111** (CCEO c. 864 §2) If one of the spouses, without the knowledge of the other, leaves the other spouse and the family, and gives no indication of one's whereabouts over an extended period of time of at least one year, then the distressed party can request, from the local hierarch, a decree of spousal separation.

### **Sacramentals, Sacred Places and Times, Veneration of the Saints, Vow and Oath**

**Can. 112** (CCEO c. 867 §2) Concerning sacramentals, the liturgical norms are to be observed.

**Can. 113** (CCEO c. 879) After the Order of Christian Burial, the following annotations are to be made in the death register:

- the name and surname of the deceased
- information about the parents
- the day, month and year of birth and the date of death
- the number of the medical certificate where it is written the cause of death, and, if there is, the number for the location of the grave
- the address where the deceased resided.

**Can. 114** (CCEO cc. 880 §3, 881 §4) Besides Sundays, the faithful are obliged to observe the following Holy Days:

1. The Nativity of Christ;
2. The Theophany of our Lord;
3. The Ascension of our Lord;
4. The Annunciation of the Holy Mother of God;

5. The Dormition of the Holy Mother of God;
6. The Feast of the holy apostles Sts. Peter and Paul;

On these days, the faithful are obligated to take full part in the Divine Liturgy, to hear the homily, and not to engage in strenuous physical labour.

The synod of bishops encourages all the faithful to take part in the Divine Services during the traditional holy days on the Church calendar.

**Can. 115** (CCEO c. 882) On the days of penance, the faithful are obliged to observe the fast, especially the 40-day fast, or other periods of fast, according to the customs of the place in which the faithful reside.

**Can. 116** (CCEO c. 886) An iconostas is to be erected in every church, according to liturgical norms.

## Non-Catholics coming into Full Communion with the Catholic Church (CCEO Title XVII)

### Accepting non-Catholics into the Church

**Can. 117** (CCEO c. 898 §2) The eparchial bishop can receive a non-Catholic priest into the Catholic Church, and also lay persons.

The pastor is permitted to receive non-Catholic lay persons, at their request, into the Catholic Church.

## Ecumenism (CCEO Title XVIII)

**Can. 118** (CCEO c. 904 §1) The undertakings of the ecumenical movement are to be carefully encouraged and cultivated, according to the norms of the Apostolic Roman See and the statutes of the synod of bishops of the patriarchal/major archiepiscopal Church.

## Persons and Juridic Acts (CCEO Title XIX)

### Physical Persons

**Can. 119** (CCEO c. 910 §2) In the exercise of one's rights, a minor person is under the authority of parents or guardians, with the exception of those areas in which minors, by divine or canon law, are exempt from their power; with reference to the designation of guardians, the prescriptions of civil law are to be followed with due regard for the right of the eparchial bishop to designate guardians himself if it is necessary.

## **Juridic Acts**

**Can. 120** (CCEO c. 934 §1) If the law determines that the authority to place a juridic act requires the consent or consultation of a certain group of persons, the group must be convoked according to the prescriptions of CCEO can. 948, and for the validity of the juridical act, it is required that the consent of the absolute majority of the persons assembled or that the counsel of all who are present be sought, taking into account CCEO can. 934 §2, n. 3.

## Ecclesiastical Offices (CCEO Title XX)

### **Constitution of Ecclesiastical Offices**

**Can. 121** (CCEO c. 937) The hierarch who constitutes an ecclesiastical office is obligated to see that the means required for its fulfillment are available, and is to see that just remuneration is provided for those who carry out the office by establishing stable prescriptions.

### **Elections**

**Can. 122** (CCEO c. 948 §1) The presider of the group shall convoke the electors at a place and time that is suitable to them; the notice of convocation to each member personally is valid if it is directed to the place of domicile or quasi-domicile.

## Recourse Against Administrative Acts (CCEO Title XXII)

### **Examination of the Recourse**

**Can. 123** (CCEO c. 1004) The superior authority who examines the recourse, is able not only to confirm or declare the decree null, but also to rescind or revoke it, but cannot amend it.

**Can. 124** (CCEO c. 1006) Recourse against administrative decrees of the patriarch/major archbishop, even if it is a case of a decree which concerns the eparchy of the patriarch/major archbishop, or about a decree by which the patriarch/major archbishop has decided recourse, is made to a special group of bishops, unless the question is deferred to the Apostolic Roman See; there is no further recourse against a decision of this group except by appeal to the Roman Pontiff.

## Temporal Goods of the Church (CCEO Title XXIV)

### **Taxation of Physical Persons**

**Can. 125** (CCEO c. 1012 §2) Taxes can be levied on physical persons only according to the prescriptions of the eparchical bishop.

## **Administrative Fees and Offerings**

**Can. 126** (CCEO c. 1013 §1) The eparchial bishop has the right to fix the amount of the fees for the various acts of the power of governance and for the offerings made on the occasion of the celebration of the Divine Liturgy, the Holy Mysteries, sacramentals and of any other liturgical celebrations, unless the common law provides otherwise.

## **The Support of Clerics**

**Can. 127** (CCEO c. 1021) Every eparchial bishop is to see to the decent and fundamentally equal support for all clerics who serve the good of the eparchy, unless this has been provided for in another manner. Wherever social security and health insurance have not yet been suitably arranged, for the good of the clergy, the local hierarch is to see that the necessary institutes be created for this purpose. The eparchial bishop, after consultation with the financial and presbyteral councils can create a separate general fund for the support of the various needs of the eparchy, and also for the assistance of other eparchies or parishes.

## **The Administration of Ecclesiastical Goods**

**Can. 128** (CCEO c. 1022 §2) With due regard for rights, legitimate customs, and circumstances, hierarchs, by issuing appropriate instructions within the limits of common law, are to see that the entire administration of ecclesiastical goods be suitably organized according to the prescriptions of CCEO can. 1028.

**Can. 129** (CCEO c. 1031 §2) The administrator of ecclesiastical goods is to publicly render an account, according to local custom, in which it is reported to the eparchy, all of the temporal goods given to the Church by the faithful, unless the local hierarch, with just cause, provides otherwise.

## **Alienation of Ecclesiastical Goods**

**Can. 130** (CCEO c. 1036 §2) If the metropolitan structure is absent, the eparchial bishop, with the consent of the patriarch/major archbishop, is to establish proper norms in relation to the consent necessary for the alienation of ecclesiastical goods whose value exceeds the maximum sum established by the synod of bishops.

## **Pious foundations**

**Can. 131** (CCEO c. 1047) According to the law, pious foundations are recognized as:

1) autonomous pious foundations, that is, aggregates of things destined for works of piety, the apostolate or charity, whether spiritual or temporal, and established as a juridic person by a competent authority;

2) non-autonomous foundations, that is, temporal goods given in any manner to a juridic person with a long-term obligation for the purpose of attaining annual income, to pursue the goals which are mentioned in CCEO can. 1047, n. 1.

**Can. 132** (CCEO c. 1048 §3) Precise conditions without which pious foundations cannot be constituted or accepted, are to be determined by the eparchial bishop.

## Trials (CCEO Title XXIV)

**Can. 133** (CCEO c. 1063 §4) The ordinary tribunal of the patriarchal/major archiepiscopal Church, with the assistance of judges who serve in rotation, is competent to handle the adjudication of cases in the first and succeeding instances of:

- 1) exarchs and delegates of the patriarch/major archbishop who are not bishops;
- 2) physical or juridic persons immediately subject to the patriarch/major archbishop;
- 3) institutes of consecrated life of pontifical right;
- 4) superiors of institutes of consecrated life of pontifical right, who do not have a superior within the same institute who possesses judicial power.

### **Competency of a Collegial Tribunal**

**Can. 134** (CCEO c. 1084) The following cases are reserved to a collegial tribunal of three judges:

- 1) cases concerning the bond of ordination;
- 2) cases concerning the bond of marriage, with due regard for CCEO cc. 1372-1374;
- 3) penal cases concerning offences which entail the penalties of major excommunication, privation of office, reduction to an inferior degree or deposition.

### **The Eparchial Tribunal**

**Can. 135** (CCEO c. 1127) The eparchial bishop is to establish a permanent place for the tribunal which is open during specified hours according to the norms of common law.

**Can. 136** (CCEO c. 1129 §1) While cases are being tried before the tribunal, only those persons are to be present in the courtroom whom the law or judges decides are necessary to expedite the process.

### **The Cessation of Penal Actions**

**Can. 137** (CCEO c. 1152 §2) A penal action is extinguished by prescription after three years, unless it concerns:

- 1) offences reserved to the Apostolic Roman See;
- 2) actions for those offences mentioned in CCEO cann. 1450 and 1453, which are extinguished by prescription after five years;
- 3) offences which are not punishable under common law, unless the eparchial bishop has established other norms.

### **Judicial Acts**

**Can. 138** (CCEO c. 1192 §1) The pronouncement or notification of citations, decrees, sentences and other judicial acts are to be made through the postal services with an acknowledgement of receipt card, or through another method which is the safest, unless the eparchial bishop has established other norms.

**Can. 139** (CCEO c. 1242) The questioning of a witness is conducted by the judge, a delegate or an auditor, during which a notary is to be present; therefore, if the parties or the promoter of justice, or the defender of the bond or the advocates who are present at the questioning, have additional questions to be put to the witness, they are to propose them not to the

witness but to the judge or the delegate, so that he himself would state the question, unless the eparchial bishop has established other norms.

**Can. 140** (CCEO c. 1261) Expenses incurred and honoraria which must be given to the experts, are to be determined by the judge in a fair and equitable manner, after having consulted with the eparchial bishop.

**Can. 141** (CCEO c. 1340 §1) The eparchial bishop of the eparchy in which the first instance sentence was rendered, must execute the sentence personally or through another.

### **The procedure in removal or transfer of a pastor**

**Can. 142** (CCEO c. 1388) In the removal or transfer of pastors, CCEO cann. 1389-1400 are to be observed.

## **Penal Sanctions (CCEO Title XVII)**

### **The Competency of Ecclesiastical Authority**

**Can. 143** (CCEO c. 1405 §2) The eparchial bishop, within his own jurisdiction, can establish certain ecclesiastical penalties for offences which are most often committed by the faithful of his eparchy, but this shall not be done except for a very serious reason. If, however, common law has established an indeterminate or facultative penalty, then, in its place can be established a determinate or obligatory penalty.

Patriarchs/major archbishops, metropolitans and eparchial bishops shall take care that the penal laws be uniform in the same territory, in as much as this is possible.

**Can. 144** (CCEO c. 1420 §2) These norms also apply in respect to penalties imposed in virtue of a penal precept of the eparchial bishop.

### **Public reprimands**

**Can. 145** (CCEO c. 1427 §1) Public reprimands are to be pronounced either before a notary or two witnesses or by letter, but in such a way that the reception and the contents of the letter are provable through some document.

## **Administrative Acts (CCEO Title XXIX)**

### **Procedure for Extra-Judicial Decrees**

**Can. 146** (CCEO c. 1518) The authority should issue an extra-judicial decree within sixty days of the reception of the request for it. If this has not been done and the petitioner asks again in writing for the decree, the time period is thirty days; if there is still no reply to the request, it is presumed to be negative. The absence of a reply is equated to a decree issued in the negative; recourse against it can then be placed.

*Editorial Commission:*

+Sophron Mudri, general chair of Administration of Justice of the Synod of Bishops of the UGCC

Rev. Dr. Oleh Kaskiw, Promoter of Justice for the eparchy of Ivano-Frankivsk

Rev. Lubomir Sanotsky, Court Director of the eparchy of Ivano-Frankivsk, Judicial Vicar of the eparchy of Ivano-Frankivsk

*English translation (2006):*

Rev. Andrei Kachur, JCL, Judicial Vicar of the Inter-eparchial Marriage Tribunal for the Ukrainian Catholic Church in Canada