

DIOCESE OF MAITLAND-NEWCASTLE
NSW, AUSTRALIA

**FACULTIES AND INSTRUCTIONS
FOR DEACONS OF THE DIOCESE
2017**

DECREE

GRANTING FACULTIES AND PROVIDING INSTRUCTIONS FOR DEACONS OF THE DIOCESE OF MAITLAND NEWCASTLE

BY THE GRACE OF GOD AND THE APOSTOLIC SEE BISHOP WILLIAM WRIGHT, BISHOP OF MAITLAND-NEWCASTLE, NSW, AUSTRALIA

Permanent deacons have been part of the Diocese since 1999, however, their ministry up until this point in time has been limited to Diocesan chaplaincy ministries. Therefore, it seems timely to clarify their responsibilities. It is my intent to change the practice of the last 16 years by appointing deacons to their parish of domicile as well as to Diocesan outreach ministries.

It is hoped that such a pastoral connection will provide spiritual support for their Diocesan ministry. Thus it has been decided that the presentation of these Faculties will take a descriptive style, and will include instructions and pastoral directions.

This decision will enable this document to be useful at many levels, including: juridically by providing Faculties, by being pastorally instructive, and as a reference point for rare circumstances, thereby empowering the diaconate in their ministry.

By virtue of his ordinary and proper power and authority, the Most Reverend William Wright Bishop of the Diocese of Maitland-Newcastle grants the use of the Faculties herein noted and described, to those deacons of the Diocese of Maitland-Newcastle, while they are of good standing, have a domicile in the Diocese, and appointed to the office of Parish Deacon.

While the use of Faculties are given to all Deacons of the Diocese as listed above, these Faculties can be limited or withdrawn in individual cases. If these Faculties are limited or withdrawn, the Deacon will be notified in writing, detailing the reasons and duration.

This Decree revokes all previous Faculties, however granted or approved, and all customs relating to the exercise of Faculties. The Faculties are 'ad experimentum' until I indicate otherwise. This will allow for corrections and clarifications. I further direct that this decree be published on the website for the Diocese of Maitland-Newcastle, <http://www.mn.catholic.org.au/>, which will be presumed the official notification of this action. A petition for revocation or emendation of this decree is subject to canons 1732 – 1739.

This Decree has an effective date of January 1, 2017, nothing the contrary withstanding.
Given at Hamilton, NSW, on the 31 day of December 2016.

Most Reverend William Wright



Bishop of Maitland-Newcastle

Fr Matthew Muller



Chancellor

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SECTION 1: Faculties granted by universal law to Deacons

You have the following Faculties¹ from the moment of your ordination. You may use them anywhere in the world with at least the presumed consent of the parish priest² or rector of the church.

Universal law prefers to grant written Faculties (i.e. a permission to exercise a power obtained by ordination)³ to clergy, in good standing⁴, so as to reduce confusion and to ensure both validity and liceity. While all deacons have these Faculties, the parish priest is the presbyter that is responsible for the proper administration and the proper use of all Faculties of the clergy in his parish. Ordination gives numerous powers to individual clerics. A faculty or permission to exercise that power is either granted to an individual by universal law or by the competent local authority. In this document regardless of who grants the faculty or permission it is identified in **bold**.

¹ Thanks to John M Huels many of the Faculties are based on his book, Empowerment for Ministry: A complete manual on Faculties for priests, deacons and lay ministers, Paulist Press, New York, 2003.

² The Latin terms describing a priest and the offices he can hold is translated differently in different countries. For example, *presbyter* equals all those ordained as priests. The Latin word for the Parish Priest or Pastor is the *parochus*. While the Bishop is the *pastor*, the *parochus* is the proper pastor for his parish, that is he acts for the Bishop in his parish. The *parochial vicar* is the assistant priest, associate pastor, or curate, he is appointed to a parish, to act under the authority of that parish's proper pastor. Thus for clarity sake in this document the terms are used as follows; presbyter/s equals Priest/s; Parish Priest equals *parochus*, Assistant Priest equals *parochial vicar*. The responsibilities of the office of Parish Priest also apply to those who are equivalent to him in law, e.g. parish administrator, priest supervisor.

³ Priest Faculties are detailed in Faculties and Instructions for Priests of the Diocese of Maitland-Newcastle 2017. Faculties for those appointed under canon 517 are detailed in Faculties and Instructions for those Appointed to Parish Leadership under canon 517 of the Diocese of Maitland-Newcastle.

⁴ Fit and proper person (i.e. in good standing) is currently defined by the National Committee for Professional Standards as a cleric who;

- has never been canonically suspended or disciplined in relation to abuse as defined in Towards Healing,
- has never been reported to the Congregation for the Doctrine of the Faith pursuant to Canon 1395, furthermore none of the person's actions would give occasion for such a notification,
- has never been convicted of a criminal offence (in Australia or overseas),
- has never been charged with a criminal offence (in Australia or overseas),
- is not the subject of an Apprehended Violence Order (AVO),
- is not the subject of a current allegation nor has a sustained finding against him relating to a workplace investigation conducted by organisations, employers, institutions or professional bodies that relate to the sexual misconduct, physical assault, ill-treatment, neglect or psychological harm of a person under the age of 18 years.
- is not the subject of a current allegation nor has a substantiated finding against him relating to abusive conduct of any kind, whether related to child abuse or otherwise, in a Towards Healing or Integrity in Ministry or civil litigation matter.

(See schedule 2 of the Declaration Form for Church Authorities Declaration under Towards Healing Protocol 45.7).

1. Preaching⁵
 - 1.1. in accord with the norm of universal law, clergy possess the Faculty **to preach** everywhere. This Faculty is to be exercised in accord with the norm of law and with at least the presumed consent of the parish priest, or rector, or religious superior of the church in which they are preaching, and this Faculty can be exercised unless restricted or taken away by the competent ordinary (cc. 764, 765)⁶
 - 1.2. **you may** catechise and preach to the faithful apart from the liturgy (cc. 757, 762; SDO 22, 67)
 - 1.3. **you may** preside at the liturgy of the hours, celebrations of the word, and Sunday Celebrations of the Word and Hours according to the Diocesan Policy⁸; **you may** preach at the liturgies at which you preside (GILH 254⁹; SDO 22 nn7-8, DSCAP 29¹⁰; c.764) and,
 - 1.4. **you may** proclaim the Gospel at Mass; **you may** give the homily at Mass at the discretion of the priest celebrant (GIRM 171¹¹ c. 175).
2. Liturgy General
 - 2.1. The liturgical vestments prescribed by the rubrics **are to be** worn (c. 929).
 - 2.2. **You may** assist the presiding bishop or priest at Mass and other liturgical celebrations as indicated in the rites (SDO 22.1, GIRM 171).
3. Sacraments General
 - 3.1. **you may** administer sacramentals except those prohibited by the Code of Canon Law or those requiring the Sacred Order of the Priesthood or Episcopate (cc. 834-848 and 1168-1172)
 - 3.2. **you shall** follow the liturgical law laid out in the respective liturgical rites (c. 2)
 - 3.3. adults and children who belong to a Church *Sui Iuris* **are to be** referred to their parish priest.¹² They are governed by the law of the 1990 Code of Canons of Oriental Churches (CCEO)¹³ and,
 - 3.4. **you will** make yourself aware of the CCEO and the recent changes to the law regarding baptism and marriage of members of a Church *Sui Iuri*.¹⁴
4. Baptism General

⁵ Thanks to John M Huels many of the Faculties are based on his book, Empowerment for Ministry: A complete manual on Faculties for priests, deacons and lay ministers, Paulist Press, New York, 2003.

⁶ All references to canons, unless stated, are from the *Codex Iuris Canonici*, 1983, c. = canon, cc. = canons. The reference is to the Vatican website, http://www.vatican.va/archive/ENG1104/_INDEX.HTM, (17-Dec-16).

⁷ Rite of Ordination to Diaconate, ??? (=SDO).

⁸ REFERENCE

⁹ General Instruction on the Liturgy of the Hours, DATE (=GILH).

¹⁰ Directory for Sunday Celebrations in the Absence of a Priest, ??? (=DSCAP).

¹¹ General Instruction of the Roman Missal (=GIRM),

¹² See, Australian Catholic Bishops Conference, Eastern Catholic Churches in Australia, 2016, https://www.catholic.org.au/images/pdf/2016_Eastern_Catholic_Churches_in_Australia.pdf (17-Dec-16). A good reference book is, Eastern Catholics and Latin Pastors, John Lorusso, Canon Law Society of America, 2013.

¹³ The Vatican site only has the CCEO in Latin, https://w2.vatican.va/content/francesco/la/motu_proprio/documents/papa-francesco-motu-proprio_20160531_de-concordia-inter-codices.html (17-Dec-16), for an English translation see, <http://www.jgray.org/codes/cceo90eng.html> (17-Dec-16).

¹⁴ Apostolic Letter issued *Motu Proprio, De concordia inter Codices*, modifying some norms of the Code of Canon Law, 31 May 2016. The Italian and Latin version can be accessed at https://w2.vatican.va/content/francesco/en/motu_proprio.index.html (17-Dec-16), an unofficial English translation can be found in appendix one of this document.

- 4.1. the universal law of the Church specially entrusts the responsibility of oversight of the administration of baptism to parish priests, with the assistance of priests and deacons who are the ordinary ministers of the sacrament along with the bishop (cc. 530, 861)
- 4.2. ordinarily baptism **is to be** celebrated in the parish church (c. 857 §2)¹⁵ and,
- 4.3. outside the case of necessity, **you may not** confer the sacrament outside of your own parish without proper permission, i.e. from the parish priest (c. 862).

4.4. Baptism of Adults

- 4.4.1. **you may** baptise catechumens seven years of age and older who have the use of reason without referring them to the bishop (cc. 863, 852 §1). This Faculty may not be sub-delegated. This faculty assumes one has the agreement of the catechumens proper pastor. For the lawful exercise of this Faculty, the following conditions are to be observed;
 - 4.4.1.1. for those eighteen years of age and older, the candidate shall have progressed through the stages of the Rite of Christian Initiation of Adults¹⁶
 - 4.4.1.2. for children of catechetical age (between seven and eighteen), the candidate shall have progressed through the stages of the Rite of Christian Initiation of Adults, Part II dealing with children who have reached catechetical age¹⁷ and,
 - 4.4.1.3. in the extraordinary circumstances envisioned in the RCIA paragraph 307 an abbreviated catechumenate is to be utilised.

4.5. Baptism in a Private Home

Besides the case of danger of death, **you may** confer baptism in a private home if it is difficult for the one to be baptised to leave the house (c. 860 §1). This faculty may only be used within the territory of the parish to which you are appointed or within the limits of the pastoral community to which you are assigned.

4.6. Baptism Who

- 4.6.1. **you may** baptise anyone not yet validly baptised including:
 - 4.6.1.1. a fetus, provided the person is alive (cc. 864, 871)
 - 4.6.1.2. those who had the use of reason at any time during their life may not be baptised without having manifested this intention; they must also have some knowledge of the principal truths of the faith and must promise to observe the commandments of the Christian religion (c. 865 §2) and,
 - 4.6.1.3. infants and children in danger of death are to be baptised without delay if baptism is requested by a parent or guardian (c. 867 §2).

4.7. Baptism Dying

- 4.7.1. the Rite of Christian Initiation for the Dying¹⁸ **is to be** used if the ritual is available
- 4.7.2. the one to be baptised must demonstrate “some knowledge of the principal truths of the faith” and also “promise to observe the commandments of the Christian religion”. This demonstration and promise is ascertained by an affirmative answer to the four questions you are to ask at the beginning of the rite (PCS, 282)
- 4.7.3. after asking the questions, if death is imminent, it suffices to observe what is necessary for validity: water, baptism, and the Trinitarian formula (cc. 850, 853; PCS, 277)
- 4.7.4. Viaticum may be given and,

¹⁵ The parish may have more than one Church, thus in our Diocese, this direction refers to any parish church that is used for public worship. It does not include chapels or shrines.

¹⁶ Rite of Christian Initiation of Adults (RCIA), 1988 (USA), 1986 (Australia), and 1987 (Canada).

¹⁷ RCIA, paragraphs 242-306.

¹⁸ Found in Pastoral Care of the Sick: Rites of Anointing and Viaticum, 1982 (PCS).

- 4.7.5. the baptism is to be registered in accord with canons 877-878.
- 4.8. Baptism Conditional
- 4.8.1. if, after a serious investigation, there remain doubts about the validity of a non-Catholic baptism, **you may** conditionally baptise a candidate for reception into the full communion of the Catholic Church and,
- 4.8.2. while the non-essential rites may be omitted, the renunciation of sin, the profession of faith, the water baptism, and anointing with chrism must be included (c. 869).
- 4.9. Baptism Participation of a Christian Minister
- 4.9.1. for pastoral reasons, in particular circumstances, **you may** invite a minister of another church or ecclesial community to take part in the celebration of baptism by reading a text of Scripture, offering a prayer, or the like and,
- 4.9.2. the actual baptism is to be celebrated by the Catholic minister alone (DAPNE 97¹⁹).
5. Eucharist
- 5.1. Eucharist Holy Communion:
- 5.1.1. **you may** administer Holy Communion at Mass (c. 910 §1, GIRM 182)
- 5.1.2. **you may** preside at the Rite of Distribution of Holy Communion outside of Mass
- 5.1.3. **you may** preside at benediction and give the blessing with the reserved Eucharist (c. 943)
- 5.1.4. Observing the conditions of canon 844 §4, **you may** administer holy communion to validly baptised Christians who:
- 5.1.4.1. are in danger of death
- 5.1.4.2. who live in areas or institutions where they do not have regular access to a minister of their own
- 5.1.4.3. who ask for the sacrament on their own and,
- 5.1.4.4. who manifest Catholic faith in the sacrament.
- 5.2. Eucharist Viaticum
- 5.2.1. **you may** bring holy communion to the sick and infirm as viaticum (HCWE 17, 26²⁰; PCS 81-96)
- 5.2.2. **you may** celebrate the Rite of Viaticum Outside of Mass (PCS 197-211), except the apostolic pardon, with at least the presumed consent of the pastor, chaplain, or superior, who must be notified afterwards (c. 911 §2; PCS 197-211) and,
- 5.2.3. **you may** also give viaticum to any baptised person (Christian) who is in danger of death and freely makes a request, manifests some Catholic faith in the sacrament and where there is no possibility of pastoral care by a minister of the other church or ecclesial community (c. 844 §§3,4, SPCU 5²¹).
6. Presiding
- 6.1.1. **you may** celebrate the minor exorcisms and blessings of catechumens (RCIA 91, 96; OICA 109,119)

¹⁹ Directory for the Application of Principles and Norms on Ecumenism (=DAPNE), Pontifical Council for Promoting Christian Unity, 25 Mar 1995, sections 118 and 126, http://www.vatican.va/roman_curia/pontifical_councils/chrstuni/documents/rc_pc_chrstuni_doc_25031993_principles-and-norms-on-ecumenism_en.html, (18-Dec-16).

²⁰ Holy Communion and Worship of Eucharist Outside Mass, ???? (=HCWE).

²¹ Secretariat for the Promotion of Christian Unity, *In Quibus Rerum Circumstantiis*, On Admitting Other Christians To Eucharistic Communion In The Catholic Church, 1972 (=SPCU), <http://www.ewtn.com/library/CURIA/PCCUCOM2.HTM>, (17-Jan-17).

- 6.1.2. **you may** give the blessings at the rites at which you preside; you may preside at other blessings according to the rite of blessings (DB/BB 18c)
- 6.1.3. **you may** preside at penitential celebrations when the sacrament of penance is not celebrated (RP 36-37)
- 6.1.4. **you may** celebrate the rites for visits to the sick and the prayers on the occasion of death (OUI 138, 151; PCS 212, 221)
- 6.1.5. when a priest is unavailable, **you may** preside at any of the funeral rites except a Funeral Mass (OE 19; OCF 14)
- 6.1.6. **you may** celebrate or impart other sacramentals in accord with the law (cc. 1168, 1169 §3) and,
- 6.1.7. **you may** celebrate the Rite of Commendation of the Dying (PCS 165, 212-222).

7. Marriage General

- 7.1. given, the universal law conditions, and by virtue of a decree dated 27 November 2003 signed by the Bishops of the Province of New South Wales and the Archbishop of Canberra-Goulburn all Bishops, Priests and Deacons who have the faculty to assist at marriages in their own diocese in New South Wales and the Australian Capital Territory have the faculty throughout the Province and the Archdiocese of Canberra-Goulburn. If you are asked to assist at a marriage in another province you require, for validity, the permission of the local ordinary or the parish priest of the place and,
- 7.2. all priests and deacons assisting at marriages are reminded of the pastoral care which must precede the celebration of marriage. The marriage preparation policy of the Diocese **is to be** observed in fulfilling this responsibility (cc. 1063, 1064).

7.3. Marriage Place

- 7.3.1. as specified in canon 1118, the preferred place for marriage is in a Catholic parish church
- 7.3.2. you need the permission of the parish priest or rector of the place of celebration for a marriage to be celebrated in another church be it an oratory, chapel, or shrine (c. 1118 §1)
- 7.3.3. within the Diocese of Maitland-Newcastle, by virtue of the exemptions of canon 1118 **you have** permission to celebrate a marriage liturgy, not a nuptial Mass, in another suitable place (c. 1118 §1 &2).
- 7.3.4. A suitable place within the Diocese is defined as;
 - 7.3.4.1. in the interdenominational oratory/chapel of any church or private institution
 - 7.3.4.2. in a formal "chapel" belonging to a private person and or business
 - 7.3.4.3. in a non-Catholic church, provided that the rector of the non-Catholic church has specifically invited you to celebrate the marriage in the Catholic rite in that non-Catholic church
 - 7.3.4.4. if you are in any doubt as to the suitability of a place please contact one of the local ordinaries.

7.4. Marriage Banns

You are dispensed from the obligations of canon 1067 requiring the publication of marriage banns.

- 7.5. Within the territory of the parish (7.1), **you may** validly assist at marriages involving at least one partner who is Catholic in the Latin Church (cc. 1108, 1111) having in mind also the law of the Eastern Catholic Churches if the groom is from an Eastern Catholic Church. This faculty **may be** used elsewhere when you receive a delegation from the pastor of that place.

7.6. Marriage Participation of Non-Catholic Minister

7.6.1. upon the request of the couple, and **if you have** the faculty to assist at marriage, even by special delegation, **you may** invite the minister of the party of the other church or ecclesial community to participate in the celebration of the marriage by;

- 7.6.1.1. reading from scripture
- 7.6.1.2. giving a brief exhortation
- 7.6.1.3. blessing the couple and,
- 7.6.1.4. this person may not ask for and receive the consent of the parties.²²

8. Funerals with cremated remains

8.1. when a priest is unavailable, **you may** celebrate the funeral liturgy in the presence of cremated remains of a deceased person, taking into account the concrete circumstances in each individual case and always observing the following conditions:

- 8.1.1. there is no anti-Christian motive in choosing cremation (c. 1176 §3) and,
- 8.1.2. the cremated remains will be handled with respect and buried or entombed at a place for this purpose.

There is one canonical prohibition of a funeral liturgy, namely, for notorious apostates, heretics, and schismatics and other manifest sinners for whom ecclesiastical funerals cannot be granted without public scandal to the faithful (c. 1184). Doubtful cases are to be referred to the Bishop or the Local Ordinary.²³

9. Ecumenical meetings

You may take part in meetings with other Christians aimed at improving ecumenical relations and resolving pastoral problems in common.²⁴

SECTION 2 Other Issues

10. Appointment to a parish

- 10.1. the Bishop or Vicar for Clergy will discuss with both the Parish Priest and the Deacon before making an appointment to a parish
- 10.2. generally the appointment will be to the parish of the deacon's domicile. But for a good reason the Bishop may appoint the deacon to another parish
- 10.3. the term of the parish appointment will be six years renewable
- 10.4. it is expected that the Deacon, at the direction of the Parish Priest, and in a rostered organised arrangement will:
 - 10.4.1. preach regularly
 - 10.4.2. baptise
 - 10.4.3. witness marriages
- 10.5. there is no remuneration involved for these specific activities (10.4) and they should not exceed 6 hours per week
- 10.6. allowing for the time commitments that the deacon has in his chaplaincy or other role, the parish priest and deacon may come to arrangements for other forms of ministry in the parish. Any such agreement is to be in writing and detailing any remuneration. Such agreements are to be signed by the Vicar for Clergy.

²² Directory for the Application of the Principles and Norms on Ecumenism, Pontifical Council for Promoting Christian Unity, 1993, 158).

²³ See, Instruction *Ad resurgendum cum Christo*, CDF, 15 Aug 2016, http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20160815_ad-resurgendum-cum-christo_en.html, accessed 24 November 2016.

²⁴ Directory for the Application of the Principles and Norms on Ecumenism, Pontifical Council for Promoting Christian Unity, 1993, 91b).

11. Appointment to a Diocesan role or chaplaincy
 - 11.1. any such appointments will follow normal Diocesan and civil law procedures.
12. Leave
 - 12.1. for all clergy in our Diocese **you must:**
 - 12.1.1. inform in writing (email or post) the Bishop's office of the dates of your absence from the parish and the purpose i.e. annual leave, sabbatical, retreat, etc. (c.533)
 - 12.1.2. the names of supply clergy and the dates of their supply and,
 - 12.1.3. the dates and purpose of any visiting clergy to your parish ONLY if they are celebrating a public Mass or giving a public presentation.

SECTION 3: Other canonical issues

13. Diocesan particular law and instructions are to be followed. An up-to-date set of particular laws, instructions, etc. can be found on the Diocesan website at <http://www.mn.catholic.org.au/about/office/bishops-office> (c. 8 §2).
14. Commonwealth and State legalisation is to be complied with, according to the processes detailed in Diocesan particular law and instructions (c. 22).
15. Australian Catholic Bishops Conference requires Public Juridic Persons accountable to the Diocesan Bishop to:
 - 15.1. utilise the services of the Catholic Insurance Company
 - 15.2. utilise the services of their local Catholic Development Fund, or the Fund recommended by their bishop and,
 - 15.3. utilise the established Diocesan Clergy Fund and to follow said funds Statues.
16. The Diocesan Bishop is the authentic interpreter of the intent, meaning, and praxis of these Faculties.

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Appendix One

Canons changed by the Apostolic Letter issued *Motu Proprio, De concordia inter Codices*, modifying some norms of the Code of Canon Law, 31 May 2016. Unofficial translation.

Art. 1. CIC canon 111 is entirely substituted by the following text, in which is added a new paragraph, and some expressions are changed:

para. 1: To the Latin Church through reception of baptism there is ascribed the child of parents, who both belong to the child, or if the child would not belong to one or the other of them, agree by shared act of will that the offspring is to be baptised in the Latin Church; but if such shared will is lacking, the child is ascribed to the Church *sui iuris* to which the father belongs.

para. 2: If indeed only one of the parents is Catholic, the child is ascribed to the Church to which this Catholic parent belongs.

para. 3: Any person who is baptised who has completed the fourteenth year of age is able to choose freely that he or she be baptised in the Latin Church or in another Church *sui iuris*; in which case he or she would belong to that Church which he or she will have chosen.

Art. 2. CIC canon 112 is entirely substituted by the following text, in which is added a new paragraph and some expressions are changed:

para. 1: After having received baptism, those will be ascribed to another Church *sui iuris*:

n. 1: who will have obtained the permission of the Apostolic See

n. 2: the spouse who, when entering into marriage or during the marriage, will have declared that he or she is transferring to the Church *sui iuris* of the other spouse; when the marriage has become dissolved however, the spouse is able freely to return to the Latin Church.

n. 3. the children of those mentioned in numbers 1 and 2, before completing the fourteenth year of age, and likewise in a mixed marriage, the children of the Catholic party who will have legitimately transferred to the other Church *sui iuris*, are able, once they have arrived at this age, to return to the Latin Church.

para. 2: The custom, no matter how prolonged, of receiving the sacraments according to the rite of another Church *sui iuris*, does not bring with it ascription to that Church.

para. 3: Every transfer to another Church *sui iuris* has force from the moment when the declaration has been made before the Ordinary of that Church or before the proper pastor or before a priest delegated by either of them and two witnesses, unless a rescript of the Apostolic See establishes otherwise; also this is to be noted in the baptismal register.

Art. 3. The second paragraph of CIC canon 535 is entirely substituted by the following text:

para. 2: In the baptismal register there are to be noted the ascription to the Church *sui iuris* or the transition to the other Church, also Confirmation, and likewise what pertains to the canonical status of the Christian faithful, by reason of marriage, retaining the prescript of canon 1133, by reason of adoption, by reason of reception of Holy Orders, and also perpetual profession made in a religious institute; such notations are always to be referred to in a document of reception of baptism.

Art. 4. The second number of the first paragraph of CIC canon 868 is entirely substituted by the following text:

para. 1, n. 2: There is to be a founded hope of upbringing in the Catholic religion, retaining para. 3; if this is entirely lacking, the baptism is to be deferred according to the prescripts of particular law, the parents having been informed of the reason.

Art. 5. CIC canon 868 will have a third paragraph afterwards as follows:

para. 3: The infant of non-Catholic Christians is baptised licitly if the parents or at least one of them or the person who legitimately holds the place of them asks for it and if it is physically or morally impossible for them to have access to their own minister.

Art. 6. CIC canon 1108 will have a third paragraph afterwards as follows:

para. 3: Only a priest assists validly at a marriage between Oriental parties or between a party who is Latin and a party who is Oriental, whether Catholic or non-Catholic.

Art. 7. CIC canon 1109 is entirely substituted by the following text:

the Local Ordinary and the pastor, unless they will have been through a sentence or a decree excommunicated or interdicted or suspended from office or declared such, by power of office, within the limits of their territory, validly assist at marriages not only of subjects but also non-subjects, as long as at least one party would be ascribed to the Latin Church.

Art. 8. The first paragraph of CIC canon 1111 is entirely substituted by the following text:

para. 1: The Local Ordinary and the pastor, as long as they enjoy office validly, are able to delegate within the boundaries of their territory the Faculty to assist at marriages, even the general Faculty, to priests and deacons, retaining however that which is prescribed in canon 1108, para. 3.

Art. 9. The first paragraph of CIC canon 1112 is entirely substituted by the following text:

para 1: Where priests and deacons are lacking, the diocesan Bishop is able, with the previous favorable vote of the conference of Bishops and having obtained the permission of the Holy See, to delegate lay persons who would assist at marriages, retaining the prescription of canon 1108, para. 3.

Art. 10. CIC canon 1116 will have following it a third paragraph, as follows:

para. 3: In the same circumstances, which are spoken of in para. 1 nos. 1 and 2, the Ordinary of the place is able to confer the Faculty upon any Catholic priest to bless the marriage of Christian faithful of an Oriental Church which would not have full communion if they ask for this spontaneously, and as long as there is no obstacle to valid or licit celebration. The same priest (sacerdos), always with the necessary prudence, is to make this known to the competent authority of the non-Catholic Church.

Art. 11. The first paragraph of CIC canon 1127 is entirely substituted by the following text:

para 1: In what pertains to the form to be used in mixed marriage, there are to be observed the prescripts of canon 1108; if however a Catholic party contracts marriage with a party who is a non-Catholic of an Oriental rite, the canonical form of celebration is to be observed for liceity only; however for validity there is required the intervention of a priest, observing the other things which are to be observed concerning the law.