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GENERAL REGULATION
of the
ROMAN CURIA

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*The General Regulation was approved by
Pope Paul VI during an audience
given to the Cardinal Secretary of State
on February 22, 1968*

United States Catholic Conference

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GENERAL REGULATION OF THE ROMAN CURIA

PART ONE: PERSONNEL

TITLE I—GENERAL AND ORGANIC DIRECTION

CHAPTER I: *General direction*

ARTICLE 1

The Roman Curia is composed of the following dicasteries: the Secretariat of State or Papal Secretariat and the Council (Sacred Congregation) for Public Ecclesiastical Affairs, Sacred Congregations, Tribunals, Offices, Secretariats, the Council of the Laity and the Commission of Study on "Justice and Peace," according to the norms of the Constitution *Regimini Ecclesiae Universae*, No. 1, paragraph 1.

ARTICLE 2

1. To each dicastery there is assigned one cardinal, who is assisted by a superior prelate, who has the immediate direction in the office, and by major and minor officials.



2. Superior prelates are divided into two classes:

First class: The Substitute Secretary of State; the Secretary of the Council for Public Ecclesiastical Affairs; the Secretaries of the Sacred Congregations, the Secretary of the Supreme Tribunal of the Apostolic Signature; the Prelate Secretary of the Prefecture of Economic Affairs of the Holy See, the Secretary of the Administration of the Patrimony of the Apostolic See.

Second class: The Regent of the Apostolic Penitentiary; the Regent of the Apostolic Chancellery; the Prefect of the Apostolic Palace, the Secretaries of the three Secretariats, of the Council of the Laity and of the Pontifical Commission "Justice and Peace."

3. In the Sacred Roman Rota the functions of the superior prelate are exercised by the dean, and, when he is impeded, by the auditor who follows immediately in order of seniority. Extraordinary provisions are entrusted to the College of Auditors.

4. Superior prelates of the dicasteries of the Holy See of the same class are equal among themselves in the dignity of office and in remuneration.

CHAPTER II: *Personnel structure and distinction*

ARTICLE 3

1. (1) The number of major and minor officials working in each dicastery is established by the personnel lists registered with the pertinent administration.

(2) The personnel lists, their updating and eventual modifications are worked out by the individual dicasteries and presented to the Secretariat of State which in turn submits them to the Holy Father for approval and then hands them over to the relative administration.

(3) Once approved, the lists must be respected by all and do not admit unforeseen additions of personnel without the express and prior pontifical approval.

2. The major officials are divided into two classes:

First class: The Assessor of the Secretariat of State; under-secretaries; delegates of the two sections of the Administration of the Patrimony of the Apostolic See; the Auditor General and the Promoter General of the Faith of the Sacred Congregation of Rites; the Promoters of Justice of the Sacred Congregation for the Doctrine of the Faith and of the Tribunal of the Sacred Roman Rota; the Defenders of the Bond of the Tribunal of the Sacred Roman Rota and the Relator General of the Sacred Congregation of Rites.

Second class: Subpromotor General of the Faith of the Sacred Congregation of Rites; the Substitute Promoters of Justice and Defenders of the Bond of the Sacred Roman Rota; the Regent of the Prefecture of the Apostolic Palace; the directors and heads of the offices into which the various dicasteries are subdivided, according to their own internal regulations; the delegates of the Secretariat for the Union of Christians.

3. The minor officials are of three grades, each subdivided into first and second classes:

First grade—Academic qualification: degree or equivalent university title, *Minutanti* or the equivalent; *Aiutanti*; Notaries of the Tribunals; attachés of the Prefecture of the Apostolic Palace.

Second grade—With degree or specialized diploma: Attachés or the equivalent; archivists; administrative attaches; technicians of the Central Office of Statistics.

Third grade—With diploma: Scribes or the equivalent; protocollists; mail clerks, distributors.

4. (1) The Prefecture of Economic Affairs, the two sections of the Administration of the Apostolic See, other autonomous administrations, the Sacred Roman Rota, the Apostolic Library and the Secret Vatican Archives have their own personnel structure, which however must not differ substantially from the others.

(2) The Promoter General of Justice and the Defender of the Bond of the Apostolic Signature are considered equal to

the Auditors of the Sacred Roman Rota in dignity of office and remuneration.

(3) The Secretariat of State and the Council for Public Ecclesiastical Affairs also have their own personnel structure, substantially not differing from the others, both for those in the diplomatic service and for those in the administrative duty.

(4) Persons in the diplomatic service depend on the Secretariat of State for their appointments, promotions, discipline, leaves of absence whether foreign or detached, and transfers. The Secretariat acts in accord with the Council for Public Ecclesiastical Affairs regarding the preparatory documents of nomination, transfers and leaves of absence of heads of mission, as well as for the appointment and transfer of subaltern personnel.

(5) Equal classes and grades receive equal basic salaries.

ARTICLE 4

The cardinal in charge is permitted, in agreement with the competent administration to take on extra personnel for extraordinary work with a contract of the maximum duration of one year.

ARTICLE 5

1. To each dicastery are also attached subaltern lay helpers, according to Article 34 of the present regulations, for janitorial, custodial and general manual work, in the number indicated in the personnel list registered with the pertinent administration.

2. The subaltern personnel are divided into three grades:

First grade: Clerk.

Second grade: Filing clerk, usher or orderly.

Third grade: Assistants.

3. Each individual grade has its own functions and remuneration.

TITLE II HIRING AND APPOINTMENT OF PERSONNEL

ARTICLE 6

1. Papal representatives, superior prelates, auditors of the Rota and major officials are appointed by the Supreme Pontiff.

2. The acts relative to all pontifical appointments are drawn up by the Secretariat of State.

ARTICLE 7

1. Minor officials are hired by the cardinal in charge within the limits of the personnel list of the dicastery after having heard the opinion of the superior prelate and obtained the approval of the Supreme Pontiff.

2. Both major and minor officials are chosen from various nations, according to the norm of the constitution *Regimini Ecclesiae Universae*, No. 3.

3. Given equality of merit, candidates proposed by episcopal conferences will be given particular consideration as well as those who, if priests, have had some pastoral experience, as long as they have the necessary requirements and specific preparation.

4. The cardinal in charge can arrange for competitive examinations for the three grades of minor officials.

ARTICLE 8

1. The following requirements are necessary for the hiring of minor officials:

(1) Age not less than 24 years and not more than 35; indefinite leave for those subject to military service;

(2) Sound physical condition;

(3) Honest and religious family;

(4) Full juridical capacity;

(5) No police or criminal record;

(6) Good religious, moral and civil conduct, attested to by the Ordinary or, if layman, by the respective pastor;

(7) *Nulla osta* from the respective Ordinary, the Vicariate of Rome or the relative dicasteries, if priests;

(8) Fitness determined by competitive examination;

(9) Adequate academic qualifications, namely:

(a) For Minutanti and the equivalent: A doctorate in sacred theology or in canon law, or an equivalent university degree according to the requirements of the different dicasteries; they must also have a good knowledge of Latin and, besides Italian, at least one modern language, according to the norm of the constitution *Regimini Ecclesiae Universae*, No. 10; possess any other qualification required by the individual dicastery;

(b) For attachés or the equivalent, a specialized doctoral degree or diploma; for archivists a diploma in archives and diplomacy, preferably conferred by the Vatican Archives School; for administrative attaches, an accountant's diploma; for technicians, the pertinent diploma granted by the relative Institute;

(c) For scribes, a diploma in typing or stenography.

2. For the hiring of members of religious or secular institutes, there are special norms which are the same for all dicasteries.

ARTICLE 9

1. It is forbidden for the same dicastery to employ persons related in the first or second degree of consanguinity or in the first degree of affinity, according to canonical computation.

2. As regards the major officials of the same dicastery, it is advisable that they be not chosen from the same region as the cardinal in charge, except for special reasons.

ARTICLE 10

Before being hired, the candidate must be familiar with the special norms of the particular dicastery and must pledge in writing to observe them.

ARTICLE 11

An appointed official who, without justification, does not begin service on the date determined in the letter of hiring is considered as having renounced the appointment according to Article 98, No. 1 of the present regulations.

ARTICLE 12

The official who has been taken on must make the profession of faith as well as the promise *de officio fideliter implendo et de secreto servando* before the cardinal in charge or the superior prelate, according to the formulas given in the appendix.

ARTICLE 13

1. Minor officials and subaltern personnel are hired on a trial basis of at least one year but not more than two years.

2. During the trial period, the candidate is remunerated according to the class and grade in which he will be placed, as is indicated in Article 14 of the present regulations.

3. During the trial period the candidate can be dismissed at the discretion of the cardinal in charge, after having heard the superior prelate and the major officials of the first class, with the right of reimbursement of any withholdings and of an indemnity equal to one month's salary for every year or fraction of a year's service.

ARTICLE 14

At the expiration of the trial period, minor officials with a doctoral degree or the equivalent university document or diploma of specialization will be assigned to the second class of the second

grade; the officials who do not possess these documents will be initially assigned to the second class of the third grade.

ARTICLE 15

The trial period will be included in computing precedence, seniority and termination settlement.

ARTICLE 16

At the termination of the successfully completed trial period, the cardinal in charge in agreement with the competent administration and with the approval of the Supreme Pontiff proceeds with the appointment of the minor official with the proper document and informs in writing the competent administration of the appointment. Likewise, at the termination of the minor official, the cardinal in charge proceeds with the appointment of a subaltern employee, in agreement with the competent administration.

ARTICLE 17

1. The subaltern personnel are hired by the cardinal in charge within the limits of the personnel list of the dicastery, according to the norms of Article 16.

2. Necessary qualifications required of subaltern personnel are those of Article 8, Nos. 1 to 6, and at least the compulsory education certificate.

3. It is not permitted to hire as subaltern personnel of a dicastery one who is in the private employ of the cardinal in charge, of the superior prelate and of the officials of the same dicastery and who continues in this private service.

ARTICLE 18

1. Subaltern personnel depend on the competent administration for their juridical status; for their work within the dicastery they depend on the superior prelate and must never be used for private duty during office hours.

2. Articles 9, 10 and 11 of the present regulations apply also to subalterns.

ARTICLE 19

Subaltern personnel must make the promise to observe secrecy and to fulfill faithfully their duties, according to the formula found in the appendix. In addition, they must promise to lead an exemplary Christian life.

TITLE III PROMOTION, TRANSFER, TERMINATION

ARTICLE 20

1. When a vacancy occurs, promotion takes place according to the requirements of the office, bearing in mind exclusively the objective and specific suitability for the post in question, disregarding any other criterion, including that of seniority.

2. Promotion can only be from one class and grade to the one immediately above it, without prejudice to the provisions of Article 8, No. 9.

3. In accordance with No. 4 of the constitution *Regimini Ecclesiae Universae*, no official can claim rights to promotion to a higher class or grade.

ARTICLE 21

Promotions are communicated in writing by the head of the dicastery to the competent administration and to the person concerned.

ARTICLE 22

1. By agreement of the respective cardinals in charge, minor officials can be transferred from one dicastery to another with no demotion in grade.

2. The decision is communicated in writing to the administration concerned by the cardinal in charge who receives the official and to the official himself by the head of the dicastery from which he has been transferred.

ARTICLE 23

1. The term of office of superior prelates ceases at the beginning of their 75th year or even before if they have not been confirmed in office according to No. 2, paragraph 5 of the constitution *Regimini Ecclesiae Universae*.

2. If at the moment of termination of office they enjoy the rights laid down in the pensions regulations, they receive remuneration in accordance with the norms of the said regulations. If they do not enjoy these rights, they will be awarded extraordinary compensation, to be determined by the administration concerned according to special principles of equity laid down in the appendix to be added to the pensions regulations.

ARTICLE 24

1. Major and minor officials will be retired at the age of 70 without prejudice to the provisions of Article 1-19 of the pensions regulations of Dec. 23, 1963.

2. Auditors of the Sacred Roman Rota have their own norms as regards retirement settlement; Article 4 of the pensions regulations applies to them as well as to those ecclesiastics who leave their service on being appointed Auditors of the Sacred Roman Rota.

ARTICLE 25

Precedence among major and minor officials of a same dicastery, unless indicated in the personnel list, grade and class being equal, is determined by the date of joining the class and grade; such date being equal, by the date of priestly ordination, and if this is also equal, by age.

TITLE IV FUNCTIONS OF THE PERSONNEL

ARTICLE 26

The cardinal in charge is responsible for the management of the dicastery and all of its activities, according to the internal regulations (cf. Article 2, paragraph 1).

ARTICLE 27

The superior prelate, on his own responsibility and according to the instructions of the cardinal in charge:

(1) Coordinates the various services, assigns the functions to each official, examines the matters of greater importance, sees to the speedy transaction of office affairs and checks the relative letters and rescripts, maintains discipline and is responsible for the observance of the present regulations and the norms of the dicastery;

(2) Entrusts to the consultors the study of certain questions for which their vote is necessary, convenes consultations whenever necessary and presides over them;

(3) Attends *ordinary* and *plenary* congregations, draws up their minutes, notes down the resolutions and prepares a report on them for the Holy Father; if a bishop, he intervenes at the *ordinary* and *plenary* congregations with the right to vote. In such cases, the functions of official recorder are exercised by the undersecretary of the dicastery;

(4) Presides at staff meetings in the absence of the cardinal in charge;

(5) Signs, together with the cardinal in charge, the documents of the dicastery;

(6) Communicates to Ordinaries the decrees which concerns their dioceses before they are published;

(7) Transmits to the office of the *Acta Apostolicae Sedis* the copies of the decrees to be promulgated;

(8) Submits to the cardinal in charge anything that is to be sent on to other dicasteries or outside the limits of the ordinary and requires special consideration.

ARTICLE 28

1. Major officials of the first class assist the superior prelate and take his place in the event of absence or impediment, according to the norms of the respective dicastery. In addition, they:

(a) Have the immediate supervision of the office or of their own section and exercise it according to the directives of the superior prelate and the special norms of the dicastery;

(b) Sign—with the prior authorization, even in general, of the superior prelate—clearly specified documents of lesser importance.

2. Under the circumstances referred to in Article 27, 3, the undersecretary of the dicastery acts as the official recorder at *ordinary* and *plenary* congregations.

ARTICLE 29

1. The directors or office heads have the immediate responsibility for the offices or sections of each dicastery. In addition, they:

(a) Assist the superior prelate, coordinating the work of the division entrusted to them in collaboration with their colleagues;

(b) Attend the staff meetings, in accordance with Article 123 of this regulation.

2. The *Minutanti* and *Aiutanti di studio* have the following tasks:

(a) They study matters concerning the division entrusted to them;

(b) They attend staff meetings, in accordance with Article 123 of the present regulations;

(c) They prepare drafts of letters and rescripts relative to their matters under the supervision of the major officials;

(d) They draw an office memorandum and a summary of acts and documents whenever the matter is to be submitted to the *ordinary* or *plenary* congregation, completing them with *de jure* and *de facto* observations which are either necessary or useful for the right solution of the case.

3. In the distribution of work the principle generally followed is that of division by territory combined with a division by subject matter, in order that the personnel may be better informed on the needs and conditions of the various countries.

ARTICLE 30

Archivists must keep the Archive in order and the Protocolists must look after the Protocol Book, according to the norms laid down in the regulations valid for all the dicasteries which are found in the appendix of the present general regulations.

ARTICLE 31

1. The offices of distributor, protocol officer and mail clerk, or of distributor and mail clerk, may be combined by the decision of the superior.

2. Distributors can also fulfill not only the functions of mail clerk but also those of cashier if such exist.

ARTICLE 32

If necessary, in some of the dicasteries, the office of cashier will be distinct from that of accountant.

ARTICLE 33

The task of the scribes is to copy the letters and the rescripts of the dicastery and to carry out whatever else might be entrusted to them by the superior.

ARTICLE 34

It is the task of the subaltern to dispatch or deliver letters and packets, to look after the premises and the cleaning before the arrival and after the departure of the officials, and to carry out the tasks entrusted to them by the superior for the dicastery to which they belong.

TITLE V DUTIES OF THE PERSONNEL

ARTICLE 35

Everyone should be conscious of the service he renders the Pope and which he should fulfill with a sense of responsibility and Christian charity toward anyone who has recourse to the Holy See.

ARTICLE 36

Everyone, officials and subalterns, without special compensation and in accordance with the instructions of the superiors, will substitute and assist fraternally his colleagues in the event of their absence or impediment or of dicastery requirements.

ARTICLE 37

In urgent cases, or in special circumstances, officials, according to the judgment of their superiors, will complete at home the work which they were unable to finish at the office. They will furthermore take care of any office duty which may be entrusted to them, though it may be outside of their ordinary assignments.

ARTICLE 38

In the office, priests will be required to wear the cassock.

ARTICLE 39

1. Officials and subalterns are obliged to observe strictly the office secret.

2. Any violation of pontifical secrecy concerning the obligations determined by the appropriate instructions implies dismissal from office as well as other sanctions provided for in the instructions themselves; any violation of ordinary secrecy concerning other matters implies the sanctions referred to in Articles 62-67 of the present regulations.

ARTICLE 40

It is forbidden for officials and subalterns:

- (1) To remove documents and keep personal notes or observations regarding the affairs of the Roman Curia;
- (2) To be absent without leave from the superior;
- (3) To make undue use of office letterhead;
- (4) To discuss office matters with outsiders;
- (5) To act in any way as agent, procurator or advocate in one's own or in another dicastery;
- (6) To retain or take on employment, even of a private nature, or duties, even of an ecclesiastical nature, which are incompatible with the work of the office without the express authorization of the cardinal in charge;
- (7) To be a member of a political party or of associations and institutions not conforming with the doctrine and the discipline of the Church;
- (8) To exercise any activity or to take part in demonstrations which, in the opinion of the superior, are not in keeping with the character of an official of the Holy See.

ARTICLE 41

It is strongly recommended that every official who is a priest be registered, in agreement with his own superior prelate, with a church, oratory or institute in which he normally exercises the pastoral ministry, within the limits permitted by office duties.

Lay members are also urged to engage in their free time and according to office commitments, in good works and the apostolate.

TITLE VI HOURS OF WORK AND ABSENCE

ARTICLE 42

While the general instructions contained in the circular of July 1, 1959, remain valid, the sum total of the compulsory working hours of the Roman Curia personnel is reduced as follows:

(a) For officials, an over-all total of 33 hours a week;

(b) For subalterns, an over-all total of 39 hours a week, in order that they may be able to attend to the tasks to be fulfilled before or after normal office hours in accordance with the instructions issued by the cardinal in charge for each of the various dicasteries.

2. Normal office hours, which are the same for all the dicasteries, are from 9 a.m. to 1:30 p.m.

3. The remaining hours (in order to attain the over-all compulsory total) may be distributed over the week, in the morning or in the afternoon, at the discretion of the cardinal in charge but in such a way that each dicastery will be open on all working days, except on Saturdays and on the eve of feast days, from 6 p.m. to 8 p.m. with a sufficient number of officials and subalterns on duty.

4. Office hours must be faithfully observed so that at the appointed hour everyone will be at his post and at the disposal of the superior. Time spent in the service of the Holy See in its dicasteries is to be regarded as sacred because dedicated to faithful service of the Church and of the person of the Supreme Pontiff.

5. Rota Auditors, because of the nature of their work, have no office hours, nevertheless, and although they work at home, they are obliged to attend the tribunal one day a week for the audiences to be held at fixed hours.

The Promotor of Justice and the Defender of the Bond, while carrying out their activities at home, must take turns at attending the tribunal on working days. Other officials will observe the office hours established by the Rota College.

ARTICLE 43

While the provisions of Article 37 remain valid, officials will not fail to work beyond office hours if the service requires it.

ARTICLE 44

Those who are remunerated by the hour must sign the attendance sheet on entering and leaving the office.

ARTICLE 45

Deductions to the remuneration may be made for unjustified non-observance of office hours, according to working time missed, in addition to other disciplinary measures that may be taken.

ARTICLE 46

The sheets with the signatures, referred to in Article 44 of the present regulations, as well as observations and justifications, must be transmitted by the superior prelate to the administration concerned for the calculation of absences, non-observance of office hours and relative deductions.

ARTICLE 47

In the event of sickness or other unforeseen impediment, the employe must, on the same day, inform the superior prelate who will report the absence to the administration concerned within three days.

TITLE VII VACATIONS, FEAST DAYS AND PERMITS

ARTICLE 48

The following are feast days:

- (1) Sunday and the other feasts of obligation;
- (2) The anniversary of the coronation of the Supreme Pontiff;
- (3) The name-day of the Supreme Pontiff;
- (4) The anniversary of the death of his predecessor;
- (5) The anniversary of the institution of the Vatican City State;
- (6) The feast of St. Joseph the Artisan;
- (7) Public consistory days;
- (8) Easter Monday and Tuesday;
- (9) The three last days of Holy Week;
- (10) The eve and the day following the Assumption of the Most Holy Mary;
- (11) All Souls Day;
- (12) The eve and the two days following Christmas;
- (13) The last day of the year.

ARTICLE 49

All the personnel have an annual vacation, in one or two periods, from July 1 to October 31.

Vacations are allotted in turns according to the requirements of the dicastery and at the discretion of the superior prelate, who can give precedence as regards choice to the seniors in each case.

ARTICLE 50

Vacations are granted as follows:

(a) The normal annual vacation consists of a total of 30 days, irrespective of seniority, for the superiors, the major and minor officials as well as for subaltern personnel;

(b) A few more days are granted to non-Italian officials (for traveling time) at the discretion of the cardinal in charge.

ARTICLE 51

Sundays and feasts of obligation as well as the feast days listed in Article 48 which occur during the vacation period are included in the vacation calculation.

ARTICLE 52

Days of vacation unused during the preceding year, or days of vacation of the following year may not be added to the normal annual vacation except in particular circumstances or necessity, at the discretion of the superiors.

ARTICLE 53

On the justified request of the person concerned and so long as the requirements of the dicastery are not ignored, the superior prelate may grant a few days' extra leave during the course of the year to officials and subalterns. These days will be deducted from the annual vacation period.

ARTICLE 54

Leave is granted and will not be deducted from the vacation:

(1) Of one week, extendable at the discretion of the superior prelate and, where it applies, in addition to traveling time, in the event of a serious illness or death of members of the family or relations of the first degree;

(2) Of three days for change of residence;

(3) Of six days to ecclesiastics for an annual spiritual retreat;

(4) Of a fortnight to lay officials and subalterns on the occasion of their marriage.

TITLE VIII REMUNERATION

ARTICLE 55

1. Remuneration of personnel is regulated by the administration concerned.

2. Remuneration of temporary personnel referred to in Article 4 of the present regulations is established by the cardinal in charge in agreement with the administration concerned on the basis of attendance records, hours of work and the nature of the work done. There must be a substantial uniformity in remuneration based on records and hours of work.

ARTICLE 56

1. Monthly remuneration consists of the salary and, where they apply, family allowances and indemnities.

2. Indemnities and family allowances are not added to the pension fund.

TITLE IX DISCIPLINARY SANCTIONS

ARTICLE 57

Disciplinary sanctions are as follows:

(1) Verbal admonishment, written admonishment and a fine;

(2) Suspension from office;

- (3) Discharge from office;
- (4) Dismissal from office.

PARAGRAPH I: *Verbal and written admonishment; fine*

ARTICLE 58

Verbal admonishment, which is in the nature of a paternal warning, is entered in the personal file and is made for:

- (a) Lack of discipline or for neglect in service;
- (b) Unseemly behavior;
- (c) Unjustified unobservance of office hours;
- (d) Failure to observe the prohibitions referred to in Article 4, Nos. 1-5.

ARTICLE 59

Recurrence of the shortcomings referred to in Article 58 (c) may result in the application of a fine not exceeding half the daily remuneration.

ARTICLE 60

In the event of a further recurrence, within the period of one year, of the shortcomings which have been punished with a fine, an admonishment in writing is made and is added to the personal file of the employe which is kept at the dicastery or at the administration concerned.

PARAGRAPH II: *Suspension from office*

ARTICLE 61

Suspension from office is applied:

- (1) Following recurrence of the shortcomings punishable

with an admonishment in writing, once this admonishment has been delivered twice within the period of one year;

(2) For failure to observe the prohibitions referred to in Article 40, No. 6;

(3) For serious non-public acts of undiscipline and insubordination;

(4) For serious damage done to the dicastery;

(5) For violation of office secrecy;

(6) For guilty indebtedness or other irregularities in private relations which may undermine the dignity of the dicastery.

ARTICLE 62

Suspension implies temporary removal from the office at the discretion of the superior, and possibly a deduction from the salary in accordance with the norms laid down by the administration concerned.

PARAGRAPH III: *Discharge from office*

ARTICLE 63

The employee is relieved of office who proves unworthy to be maintained in service or who has committed offenses which make his continued presence incompatible with the service in the opinion of the commission set up in accordance with Article 23 of the regulation of 1963 and so long as the person presumed guilty is allowed freedom of defense.

ARTICLE 64

To be discharged from office does not imply loss of liquidation pay, where such applies.

PARAGRAPH IV: *Dismissal from office*

ARTICLE 65

1. The employee is dismissed from office for:

(1) Serious public acts of undiscipline and insubordination;

(2) Serious shortcomings regarding the duties of an ecclesiastic or of a Christian;

(3) For the violation of office secrecy.

2. The commission referred to in Article 63 will examine these cases. The person presumed guilty is given the possibility to defend himself.

3. The cardinal in charge may submit to the attention of the commission cases which are not contemplated in this article and which are of particular gravity.

ARTICLE 66

The commission referred to in the preceding article, when decreeing the dismissal also establishes its consequences, taking into account Articles 23 and 26 of the pensions regulations promulgated by the motu proprio of Dec. 23, 1963.

ARTICLE 67

The dismissed employee may not be re-employed in another dicastery or office of the Holy See.

PARAGRAPH V: *Procedure for the implementation of disciplinary sanctions*

ARTICLE 68

Suspension, discharge or dismissal from office, referred to in Articles 61, 63 and 65 are enforced by the cardinal in charge in

accordance with the decisions of the commission for the implementation of articles 63, 65 and 66.

The verbal and written admonishment and the fine referred to in Articles 58, 59 and 60 may be enforced by the superior prelate.

ARTICLE 69

Suspension, discharge and dismissal from office are communicated in writing to the person concerned. Refusal to accept this communication amounts to its reception. A report of these acts, including refusal to accept the communication, must be drawn up.

ARTICLE 70

The person concerned has the right of recourse *in devolutive* to the second section of the Apostolic Signature, within the limits set down by the constitution *Regimini Ecclesiae Universae*, No. 106. The decision of the Apostolic Signature is final except for the recourse provided for by the Code of Canon Law.

TITLE X SPECIAL PROVISIONS

ARTICLE 71

Special provisions are as follows:

- (1) Leave of absence;
- (2) Transfer to the reserve list;
- (3) Measures concerning criminal proceedings;
- (4) Dispensation from office;
- (5) Resignation of office;
- (6) Retirement.

ARTICLE 72

The provisions referred to in the preceding article are adopted on the decision of the cardinal in charge in agreement with the administration concerned and with the prior approval of the Supreme Pontiff. The person concerned is notified of them in writing.

PARAGRAPH I: *Leave of absence*

ARTICLE 73

Leave of absence may be granted because of:

- (1) Illness;
- (2) Family reasons.

ARTICLE 74

The granting of a leave of absence is notified to the person concerned, together with the indications of the cause, the date when it becomes effective and its duration.

I. *Leaves of absence because of illness*

ARTICLE 75

Leave of absence due to illness may be granted to the person concerned on his written request, on the basis of a medical certificate and prior ascertainment and judgment of the health services' management of Vatican City.

ARTICLE 76

A leave of absence due to illness is applied automatically in the event of *continued absence owing to illness* extending beyond six months or when the employee is absent from work for a total of 180 days during a period of twelve months, starting from the first day of illness, prior ascertainment on the part of the medical

services' management of Vatican City—where it applies—by consultation.

ARTICLE 77

Full remuneration is given during the period of a leave of absence due to illness.

The time spent on a leave of absence for illness is taken into account as regards seniority and eventual liquidation.

ARTICLE 78

Leave of absence for illness ends when the cause for which it was granted ceases. However, it cannot be for more than 180 consecutive or interrupted days during the first 10 years of service, nor more than 360 consecutive or interrupted days in the course of the successive period. These terms apply from the date when leave of absence has been decided on, in accordance with Article 76 above.

ARTICLE 79

At the end of the maximum limits referred to in the preceding article, the case of the employee who is still unable to resume work because of illness will be reexamined by the commission referred to in Article 63 of the present regulations which will suggest appropriate decisions.

II. *Leave of absence for family reasons*

ARTICLE 80

Leave of absence for family reasons can be granted on the written request of the person concerned for serious reasons, duly ascertained.

ARTICLE 81

During the leave of absence for family reasons, the employee has a right to a remuneration established by the cardinal in charge

in agreement with the administration concerned, on the basis of his salary and according to the nature of the case.

ARTICLE 82

Leaves of absence for family reasons may not be for more than 180 consecutive or interrupted days during the first 10 years of service, or more than 360 consecutive or interrupted days during the successive period.

ARTICLE 83

Leaves of absence for family reasons may be suspended or revoked at any time because of dicastery requirements, at the unquestionable decision of the cardinal in charge.

The recall is communicated in writing to the person concerned.

ARTICLE 84

The employee who does not resume work after a leave of absence for family reasons or in the event of being recalled from leave may be automatically declared to have resigned under the terms of Article 98, no. 3.

PARAGRAPH II: *Transfer to the reserve list*

ARTICLE 85

Transfer to the reserve list may occur either because of the suppression of the office or the reduction of personnel.

ARTICLE 86

While on the reserve list the employee receives full remuneration. Time spent on the reserve list is taken into account as regards seniority and eventual liquidation.

ARTICLE 87

Transfer to the reserve list is communicated to the person concerned in writing, indicating the cause, the date of the transfer and its duration.

ARTICLE 88

An employee called back to service and failing to resume work within a set time limit is regarded as having resigned under the terms of Article 98, No. 3.

PARAGRAPH III: *Measures concerning criminal proceedings*

ARTICLE 89

1. In the event of ecclesiastical criminal proceedings being brought against an employee for a crime or an action which makes him unworthy or undeserving of the necessary trust, the cardinal in charge imposes a temporary suspension from office.

2. In the event of non-ecclesiastical criminal proceeding, a commission appointed by the cardinal will decide on suitable measures.

ARTICLE 90

Should the proceedings end in acquittal, the employee concerned is reinstated.

PARAGRAPH IV: *Dispensation from office*

ARTICLE 91

An employee is dispensed from office if he becomes physically disabled whether or not resulting from service.

ARTICLE 92

1. Dispensation from office is adopted for physical disability, whether or not resulting from service, whenever the commission

referred to in Article 63, decides to do so following ascertainment through consultation on the part of the Vatican City health services, which will also determine whether the disability is due to service causes.

During the consultation the employee is entitled to be assisted by a doctor of his own choice.

ARTICLE 93

1. During absence from office because of illness or accident resulting from service the employee is entitled to full remuneration.

2. If absence from office is not due to service causes the norms apply which are established in the pensions regulation.

ARTICLE 94

Dispensation from office is communicated in writing to the person concerned.

ARTICLE 95

Against a dispensation from office the person concerned has the right of recourse *in devolutivo* to the second section of the Apostolic Signature within the limits permitted by the constitution *Regimini Ecclesiae Universae*, No. 106.

The decision of the Apostolic Signature is final while the provisions of Article 70 of the present regulations remain valid.

PARAGRAPH V: *Resignation of office*

ARTICLE 96

The employee who intends to resign from office must make a declaration in writing to the cardinal in charge. Resignation becomes effective only after acceptance which is communicated in writing to the person concerned. Acceptance of the resignation may be postponed or refused either because of service requirements

or because disciplinary proceedings are in progress against the person concerned, who will be promptly informed in any case.

ARTICLE 97

The employee who resigns an office must continue to fulfill his office duties until acceptance of his resignation is communicated to him.

ARTICLE 98

The employee is regarded as resigning an office and is declared such when he without justification:

(1) Does not take up service on the date fixed in the letter of appointment referred to in Article 11;

(2) Does not intend, if he is an Italian, to benefit from exemption from military service or from other duties of a personal nature toward the Italian State referred to in Article 10 of the treaty between the Holy See and Italy and in the protocol for its implementation of September 6, 1932;

(3) Is arbitrarily absent from office for five consecutive days and does not resume office within the limit of five days after receiving the injunction to report, which the superior prelate must communicate to him "ex-officio" and in writing.

ARTICLE 99

The provisions of Articles 11, 91 and following apply to cases of voluntary or automatic resignation.

ARTICLE 100

The provisions of Article 1 of the pensions regulation of December 23, 1963, apply to the employee who voluntarily resigns an office.

In the event of an automatic resignation, eventual liquidation rights are determined by the commission referred to in Article 23

of the pensions regulation. The commission, having taken circumstances into account, decides on the basis of Article 23.

PARAGRAPH VI: *Retirement*

ARTICLE 101

1. For subalterns, retirement is fixed at the age of 65. Age limit is fixed at 70 for major and minor officials and at 75 for superior prelates, except for the provisions of the constitution *Regimini Ecclesiae Universae* No. 2, paragraph 5, while the laws proper of the Sacred Roman Rota for Auditors remain valid.

The pensions regulation for ecclesiastical and lay civil personnel of December 23, 1963, apply to direct or indirect pensions and superannuation.

2. Retirement is communicated in writing to the person concerned, indicating the case and the date of application.

TITLE XI GENERAL INSTRUCTIONS

ARTICLE 102

The competent administration referred to in the norms of the present regulations is the administration of the Patrimony of the Apostolic See for all the dicasteries with the exception of the Sacred Congregation for the Doctrine of the Faith and the Sacred Congregation for the Evangelization of Peoples, which have their own administration.

ARTICLE 103

The written communications referred to in the present regulations are made through the means generally recognized as valid evidence of received notification.

ARTICLE 104

Any measure contrary to what is set down in the articles of this first part of the general regulations is abrogated.

PART TWO PROCEDURE TO BE FOLLOWED IN THE ADMINISTRATIVE DICASTERIES

TITLE I CONVOCAATION OF THE CARDINALS IN CHARGE

ARTICLE 105

Under the terms of the constitution *Regimini Ecclesiae Universae*, Nos. 18 and 20, the Secretariat of State will convoke the cardinals in charge in accordance with the instructions of the cardinal Secretary of State.

TITLE II JOINT MEETINGS

ARTICLE 106

Under the terms of the constitution *Regimini Ecclesiae Universae* No. 13, questions which concern two or more dicasteries must be treated and settled at ordinary or plenary joint meetings, consisting of the members of the respective dicasteries concerned, in accordance with the norms of Article 110.

ARTICLE 107

As regards the convocation of plenary or joint meetings of cardinals and the procedure to be followed in the discussion and treatment of matters referred to them, the norms apply which are set down in Nos. 14 and 15 of the constitution *Regimini Ecclesiae Universae*.

ARTICLE 108

In accordance with the aforementioned constitution, Nos. 16 and 17, a similar procedure “*servatis servandis*” must be followed at joint meetings of the cardinals in charge or of the secretaries of the dicasteries concerned.

ARTICLE 109

The resolutions adopted at joint meetings are published by the secretary of the dicastery which called the meeting.

TITLE III PLENARY AND ORDINARY CONGREGATIONS

ARTICLE 110

1. The *plenary* meetings of the individual Sacred Congregations consist of cardinal members and of a number of bishops, in accordance with the *motu proprio Pro comperte sane* of August 6, 1967, and take place, except in the event of special circumstances, once a year at periods to be fixed by the Congregations themselves. *Ordinary* meetings are held whenever the opportunity arises and consist of the cardinal members alone with the participation of bishop members who may be in Rome.

2. For *plenary* Congregations of the Sacred Congregation for the Evangelization of Peoples the provisions apply which are laid down in No. 83, paragraph 2 of the constitution *Regimini Ecclesiae Universae*.

ARTICLE 111

Each dicastery determines in its special norms the matter to be submitted to *ordinary* meetings of the cardinals. Matters of greater importance and involving a general principle or policy are submitted to the *plenary* congregation.

ARTICLE 112

1. When cases are to be submitted to *ordinary* meetings or to the plenary congregation, after a full and extensive study and after collecting the necessary information, an office memorandum is sent to each member at least a month before the meeting, with an attached summary of the case, the doubts to be discussed and the votes of the consultors.

2. The entire file need not be printed so long as it is neatly written and duplicated in such a way as to guarantee its perfect legibility.

ARTICLE 113

Utmost caution must be observed in duplicating the aforementioned papers in order to guarantee secrecy.

For this purpose, the work will be entrusted to the Tipografia Vaticana or to other dependable printers and offices previously approved by the cardinal in charge.

ARTICLE 114

Secret documents must be transmitted in the due form and in the safest way.

ARTICLE 115

At *plenary* congregations—chaired by the cardinal in charge—the first to speak is the Cardinal Relator, followed by the cardinals and the other members in order of precedence, and, finally, by the cardinal in charge.

ARTICLE 116

The *plenary* congregations may submit for the consideration of the Holy Father the advisability that problems of particular importance for the life of the Church be examined by the Synod of Bishops.

ARTICLE 117

A report on the matters discussed at the meetings must be drawn up by the superior prelate in accordance with the provisions of Article 27, No. 3. At the end of the meetings the superior prelate will withdraw the files and all documentation.

ARTICLE 118

If there are no objections, the resolutions will be communicated and distributed by the superior prelate to all the members of the dicastery who were convened and attended the meeting or were justifiably absent.

ARTICLE 119

1. When the resolutions have been communicated to interested parties, those who feel they have a grievance may ask, within 10 days, the benefit of a new hearing on condition that new and weighty arguments are advanced and without prejudicing the right to appeal to the second section of the Apostolic Signature, in accordance with the constitution *Regimini Ecclesiae Universae*, No. 106.

2. After having consulted his staff, the cardinal in charge may or may not grant the benefit of a new audience, according to assessment of the arguments advanced.

3. Only *ordinary* and *plenary* congregations may grant the benefit of a new audience when the clause “*amplius non proponantur*” is attached to the resolution.

ARTICLE 120

The members of the congregation must be informed of the sovereign decisions taken by the Supreme Pontiff following the resolutions approved at plenary meetings.

ARTICLE 121

The actual expenses incurred in cases submitted to *plenary* or *ordinary* congregations by private individuals are normally

charged to the petitioner; in controversial matters expenses are to be sustained by the losing party and are to be taken from the adequate sum deposited on the instructions of the cardinal in charge and his staff.

ARTICLE 122

The cardinal in charge or the superior prelate report to the Holy Father on the decisions taken at *ordinary* meetings and at *plenary* congregations. In those cases which allow recourse to the II section of the Apostolic Signature, the superior prelate cannot submit for papal approval the decisions before a 30-day period has expired after notification.

TITLE IV STAFF MEETING (CONGRESS)

ARTICLE 123

Attending the staff meeting, in addition to the cardinal in charge, are the superior prelate, the undersecretary or the undersecretary of the interested section, if the dicastery consists of various sections, the directors of the offices of the dicastery, the "Aiutanti di studio" responsible for the matter under discussion, or, at the discretion of the superior prelate, all the "Aiutanti" of the section in matters of general interest and greater importance.

ARTICLE 124

The staff meeting:

(a) Decides what should be submitted directly to the Pope and what should first be submitted for examination to the *ordinary* or *plenary* congregation or to the joint congregations;

(b) Entrusts to consultors for their vote, cases which demand particular study;

(c) Grants faculties, graces and indulgences according to the powers received from the Holy Father;

(d) Discusses and settles ordinary matters in which other dicasteries are not concerned or for which, under the terms of the dicastery's own rules, discussion in *ordinary* or *plenary* congregation is not required.

ARTICLE 125

The staff meeting will transmit to the competent commission any doubts which may arise in law regarding the interpretation of norms of the Code of Canon Law. It will transmit to the competent tribunal matters which by their nature must be dealt with judicially.

TITLE V BOARD OF CONSULTORS

ARTICLE 126

1. The board of consultors of each dicastery consists of an efficient and active group of competent consultors, who shall contribute to the government of the Church by their qualified and conscientious assistance.

2. The task of the board of consultors is to express a solidly founded opinion on matters of greater importance submitted to it by the superior prelate on the instructions of the cardinal in charge.

ARTICLE 127

1. The consultors or some of them—according to their qualifications—must be convened a few days before the *plenary* congregation of cardinals.

2. The consultors are convened by the superior prelate.

ARTICLE 128

The cardinal in charge has the right also to ask for a written vote from other eminent persons with special experience who are

not included among the consultors, when this is required by the matter to be dealt with.

ARTICLE 129

The consultors are headed by the superior prelate who presides over their meetings and directs the debate.

ARTICLE 130

On being asked for their written opinion, the consultors will fulfill their duty diligently and solicitously. On invitation by the superiors, they will collaborate in the drafting and elaboration of the documents of the dicastery to which they belong.

APPENDIX

I: ADVOCATES

1. For the Advocates of the Sacred Consistory, who are appointed by the Pope, the present norms remain valid as regards numbers, prerogatives and rights.

2. For admission to the office of Advocate or Procurator of the Sacred Roman Rota and of the Apostolic Signature the provisions of the Norms for the Sacred Roman Rota, Articles 54 and 55, must be observed.

3. For the II Section of the Supreme Tribunal of the Apostolic Signature the provisions of the special norms are observed.

4. For beatification and canonization causes, while the right of the Advocates of the Sacred Consistory is maintained, the fulfillment of the formalities prescribed by the Sacred Congregation of Rites is required in addition to the diploma of Rotal Advocate.

5. Consistorial Advocates, Procurators of the Sacred Apostolic Palace and Rotal Advocates may not defend causes against the Holy See without special authorization.

6. As regards emoluments, Advocates must keep to the tariffs fixed and updated every three years by the Sacred Roman Rota.

7. Against an Advocate who demands emoluments exceeding the limits set out in No. 6, recourse can be had to the Apostolic Signature, before which an Advocate may also be cited on the denunciation of the Promotor of Justice.

II: PROFESSION OF FAITH AND PROMISES

For Officials: *Ego N. firma fede credo et profiteor omnia et singula quae continentur in Symbolo fidei, videlicet:* (Translator's Note: Here follows the Nicene Creed in Latin, with the following addition:)

Firmiter quoque amplector et retineo omnia et singula quae circa doctrinam de fide et moribus ab Ecclesia, sive solemniter iudicio

definita sive ordinario magisterio adserta ac declarata sunt, prout ab ipsa proponuntur, praesertim ea quae respiciunt mysterium sancta Ecclesiae Christi, eiusque Sacramenta et Missae Sacrificium atque Primatum Romani Pontificis.

Promises

Officials:

In nomine Domini, Ego N.N., spondeo, voveo ac promitto, fidelem et oboedientem me semper futurum Domino Nostro Papae N. eiusque legitimis successoribus; ministeria mihi commissa in hac Sacra Congregatione (in hoc Tribunali in hoc Officio) diligenter impleturum et secretum officii religiose servaturum; simulque promitto munera mihi in remunerationem, etiam sub specie doni oblata, nec quaesiturum, nec recepturum, Sic me Deus adiuvet et haec sancta Dei Evangelia quae manibus meis tango.

Subalterns:

I, N.N. promise before God to be faithful to the Supreme Pontiff and to his legitimate successors and to observe strictly office secrecy; I promise to fulfill diligently all my duties and to observe the orders given me by my superiors.

III: ARCHIVES, PROTOCOL, LIBRARY

1. In every dicastery there will be a general protocol in which all items of business must be registered in progressive order as they are received or dispatched from the office.

This registration must indicate, in addition to the order number and the year, abbreviated in the manner of a fraction:

- (a) The diocese to which the item belongs;
- (b) The name of the petitioner;
- (c) The subject of the case;
- (d) The person against whom proceedings might be taken;
- (e) The date of presentation.

2. All the developments in the case, the decisions taken, the letters written, etc., are to be entered in the general protocol by hand, with black indelible ink if the protocol consists of a register, or in handwriting or typewriting, using black indelible ribbons in the case of file cards.

3. When a petition or any document is received it is first stamped with a black ink stamp indicating the name of the receiving dicastery and the date of receipt, with blank spaces for the protocol number, the diocese from where it was sent and the identity of the petitioner.

Receipt of the petition must be noted in the general protocol. When the petitioner is an Ordinary or his curia, they must be duly informed of the receipt of the document and of the protocol number assigned to it.

When documents are sent from the office, they are to be marked with a black ink stamp indicating the name of the dicastery dispatching the document, the date of dispatch, the protocol number and the addressee.

4. To facilitate the research of cases or of precedents of cases, a triple card index is to be set up: one by names, another showing the diocese of origin, and a third a topical index according to the matter treated. On each card the protocol number is to be entered and the data for the identification of the case and its placement in the general archives if the matter is already concluded and filed away.

5. The protocol archive number assigned at the beginning of a case remains unchanged even if it extends beyond the period of a year. Once the matter is settled it will be assigned a special number, which is to be entered in the protocol as well as in the various card indexes, to show its place in the general archives.

6. Once the precedents of a case, if any, have been checked or the case has been assigned a new protocol number, a special printed folder is prepared, showing on the front the data of the case, and giving on the inside a list of the documents it contains,

numbered beforehand in progressive order, to avoid accidentally confusing a document with another or misplacing it.

This folder, with a listing of all the attached documents, is then submitted for study to the officials concerned in accordance with the particular norms of each dicastery.

7. The transfer of a case should be noted in a special card index, if possible with visible cards so that it can be easily ascertained at any time in which office a case is to be found which has been temporarily removed from the archives. Distributions of the documents to consultants, rapporteurs, etc., should also be noted on these cards.

8. Any measure adopted in a case is to be communicated:

(a) To the protocol officer, who will register it in the general protocol and send the measure, letter or rescript to the superior for his signature;

(b) To the scribes if a letter is to be written or a rescript drawn up;

(c) To the accountant, who will note any expenses or taxes;

(d) To the distributor, for dispatch or delivery; and lastly

(e) To the archivist, for replacing the case in the archives.

If the case is to be regarded as finally closed, the archivist will assign a number indicating its place in the archives and will make the necessary entries.

9. Should the documents come back unsigned or accompanied by special observations, the official will deal with them accordingly in conformity with the instructions of the superiors.

10. In every dicastery there is to be a library specialized and updated in matters concerning the dicastery and entrusted for proper functioning to an official designated by the superior prelate.

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