

Lancaster Diocesan  
Council of Priests

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CONSTITUTIONS  
STANDING ORDERS  
AND  
RULES OF PROCEDURE

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Revised by decree  
of 31 March 1993

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## PREAMBLE

Very early in the Church's history there was a close and significant relationship between the bishop and his priests. As the Church grew and developed, so did this relationship. Bishops and priests became geographically separated and the gap was filled by the Cathedral Chapter. The Chapter grew in power, reaching its peak in the 12th and 13th centuries, only to decline again, and so find its way into the 1917 Code in a modified and specific form.

The Second Vatican Council in deciding what form the modern presbyterium should take had to consider two predominant theological models, or ideas, of Church, the *communio* and the **hierarchical** models. With the rapid spread of Christianity the original *communio* idea, that is, of all the faithful joining the bishop round the altar, simply became a physical impossibility. At the same time an institutional and hierarchical model of Church was fast developing akin to secular developments. Although neither of these models was historically mutually exclusive, for many centuries an institutional and monarchical interpretation of the hierarchical model dominated the Church's understanding of herself. However, with the rediscovery of the Church as the whole People of God at Vatican II, it was recognised that there are also other ways to understand the Church. Although the Church must always be hierarchical by its very nature, the Council was concerned to assert that Church is fundamentally a *communio*, a communion of service. Within this communion, the baptismal call to service and participation is affirmed for all believers. The complexity of this call and the rights and duties of all were affirmed at the Council under the headings of collegiality, co-responsibility and subsidiarity. As the People of God the Church comprises several essential elements including both communion and hierarchy and it is necessary to use simultaneously several models of Church.

Vatican II offered a new theological model which explicitly combined two of the major models of Church. **Hierarchical Communion** was used and stresses as the basis of the collegiality that exists between all the bishops and the pope. Each diocesan bishop cares for his people under the authority of the Supreme Pontiff but is the proper, ordinary and immediate pastor of his own diocese, because each diocese constitutes one particular Church in which all the marks of the Church of Christ are truly present and active.

The term hierarchical communion was also used when the Council talked about the priests of the local Church. There is a basic and intrinsic communion between the priests and their

bishop, who together form a corporate body which cannot be divided because the one Priesthood of Christ is exercised collegially and co-responsibly. But this communion is hierarchical, because the priest does not possess the fullness of priesthood that belongs to the bishop. The bishop is **the** source and symbol of unity within his local church forming with his priests a Presbyterium in service to the local churches. He is also the link of communion between his diocesan Church and the Supreme Pontiff and other "particular Churches" throughout the world, since the Church is now seen more clearly as a *communio* of local Churches.

The collegiality existing between the bishop and his priests is expressed liturgically when the priests concelebrate with the bishop. It is expressed functionally by the need for the bishop to engage in regular and serious discussion with his priests, individually and collectively, in pastoral matters. Priests are the necessary helpers and counsellors of the bishop. Their communion in the same priesthood and ministry of service demands that the bishop "gladly listen to them, indeed consult them, and have discussions with them about those matters which concern the necessities of pastoral work and the welfare of the diocese".

It was with the new theological emphasis of hierarchical communion in mind that Vatican II established the Council of Priests, "which by its advice will give effective assistance to the bishop in ruling the diocese". Because the particular or local Church contains within itself all the marks of the Church of Christ it requires structures to express these marks of oneness, holiness, catholicity and apostolicity. The Council of Priests is one of the principal structures giving practical expression to these marks and is a particularly striking and important symbol of diocesan and ecclesial unity. It is a sign of the close relationship between a bishop and his priests and its existence is a concrete and institutional expression of what priests are, the necessary co-workers of the bishop.

The Council of Priests is a consultative body. There is a very strong commitment to consultation in the Council documents which is practically and pastorally expressed in many instances in the 1983 Code of Canon Law. The Church is witnessing the evolution of new structures to facilitate consultation which implies communication and participation in the decision making process. Consultation is essentially a listening ministry of service which is a vital aspect of communion and a particular duty of the ordained ministries. The qualities of consultation mean that there must be mutual trust and respect between those involved; there must be reasonable time and opportunity for views to be expressed and discussed.

Consultation implies a reciprocal attempt to inform and enlighten based on the fact that all the baptized share in the Church's mission by right and not by concession. It should be horizontal as well as vertical; it is not logical that priests should expect consultation with bishops, for example, and at the same time refuse or neglect consultation with fellow priests and laity. In view of the new emphasis on hierarchical communion canon 127 of the Code takes on greater significance. If the Code requires a superior to consult, his action is invalid if he fails to do so. The same canon also says that if the consultation reaches a consensus, the superior, the bishop of the priest, is technically still free to act as he best sees fit - this is because of the hierarchical nature of communion - but the presumption is in favour of the consensus. This means that a superior should not act against the consensus without an overriding reason. The presumption of the revised Code is that the hierarchical Church functions as a *communio* and therefore operates a consultative and consensus form of church government.

The Council of Priests is therefore competent to discuss almost anything concerning government of the diocese. This means that it also has the corresponding responsibility; in other words it shares as wide a competence and responsibility as the bishop himself; in this there is *communio*. It is because of this *communio* that consultation must exist. Consultation, therefore, is a recognition of the wide responsibility that the presbyterium shares with the bishop. The concept of hierarchical communion is the reason for the three legal requirements of the Council of Priests. They are: that it must exist; that it be of a consultative nature; that it be representative in structure. It follows that the Council of Priests is far more than a mere forum for priests' problems or for the bishop's own views, or even for the simple provision of information: it should play a key role in the bishop's government of his diocese.

In the new Constitutions, Standing Orders and Rules of Procedure have been divided into two distinct sections; the former indicates what is of essence and the latter what can more easily be altered. The committees are an important part of the Council's role as a consultative body. They will provide the basic continuity of the Council's work between the twice yearly meetings by encouraging and developing in-depth reflection on topics and themes being discussed by the Council.

## CONSTITUTIONS

### 1. The Nature of the Council

- 1.1 The nature and function of the Council of Priests is defined in the Code of Canon Law in canons 495-501. These statutes of the Council shall be interpreted according to the norms of Canon Law.
- 1.2 The Council, representing the entire presbyterium of the Diocese, is instituted by law to assist the Bishop by means of its counsel in all matters pertaining to the pastoral welfare, the government and apostolic mission of the Diocese. <sup>(1)</sup>
- 1.3 The Council, although a consultative body, shares as wide a competence and responsibility as the Bishop. The Bishop is to consult the Council in matters of more serious moment, but he requires its consent only in matters defined by the Code of Canon Law. <sup>(2)</sup>
- 1.4 The Council acts as the Bishop's Senate. It assists the Bishop particularly in the following areas by:
  - (a) reviewing, elaborating and, with the Bishop's approval, initiating general pastoral policy;
  - (b) studying particular questions and issues put before it;
  - (c) co-ordinating the various ministries that are being exercised in the diocese especially with regard to the life and ministry of priests;
  - (d) addressing itself to matters that extend beyond diocesan boundaries.
- 1.5 Topics and themes forming part of a rolling agenda as well as propositions are to be encouraged for discussion by the Council. They may be put forward by the bishop, by an ex-officio member of the Council, by the Council as a whole by a Deanery, by a group representative or by an individual whose topic or proposition is accepted by the Steering Committee. <sup>(3)</sup>
- 1.6 The Council shall appoint such committees as are considered necessary, especially for the in-depth study of themes or topics.
- 1.7 The Council acting as the Bishop's Senate shall have a special duty to ensure that it maintains regular communication with the College of Consultors, all Diocesan Commissions, major bodies and organizations and with important projects undertaken in and for the whole or part of the Diocese. Over a two year period the Council, by way of encouragement, shall request from each Commission and Agency a written report on its activities.
- 1.8 The Council can never act without the Diocesan Bishop. the Bishop has therefore the absolute right to demand of all present that confidentiality be strictly observed when requested in accordance with Canon Law. <sup>(4)</sup>
- 1.9 When reporting Council meetings all present shall carefully observe and respect laws concerning reputation and privacy

and the common good. <sup>(5)</sup>

1.10 The Council shall be responsible for ensuring the appointment of representatives to the National Council of Priests.

1.11 Sede Vacante the Council of Priests shall cease to function but the College of Consultors continues to fulfil its functions. <sup>(6)</sup>

## 2. The Membership of the Council

2.1 The President of the Council is the Bishop of Lancaster who is the sole legislative authority apart from exceptional cases laid down by general law or by the Bishop himself or by the common agreement of the Episcopal Conference. <sup>(7)</sup>

2.2 While it is the prerogative of the Bishop by law to preside over the Council, he may require the Council to elect a Vice-Chairman. <sup>(8)</sup>

2.3 The Council is composed of priests, elected, ex-officio and appointed in accordance with Canon Law. <sup>(9)</sup>

2.4 The College of Consultors is drawn from the Council of Priests and is personal to the Bishop. <sup>(10)</sup>

### 2.5 The elected members

(a) Priests incardinated into, and those appointed for pastoral work in, the Diocese of Lancaster, have the right to vote at elections. <sup>(11)</sup>

(b) Any priest who has the right to vote shall be deemed eligible for membership of the Council.

(c) The priests of each Deanery shall elect by secret ballot one of their members who is not already an ex-officio member.

(d) One representative shall be elected by postal ballot from among those priests, secular or religious, incardinated into, working in or attached to the Diocese and not bound to attend a deanery conference (e.g. Seminary Staff, Chaplains to the Forces, members of Religious Orders and Congregations etc.).

i) The person elected must be able to attend the Council meetings.

ii) It shall be the responsibility of the non-deanery priests themselves to inform their representative of their views.

(e) The duties of elected members are:

i) in the case of Deanery Representatives to ensure that the deliberations of the Priests' Deanery Meeting and as far as possible and when appropriate, the views of the Deanery Pastoral Council concerning the themes, topics and propositions on the agenda are made known at the Council of Priests' meeting;



- ii) to assist in the formal presentation of themes, topics and propositions to the Council;
  - iii) to act as an elected representative (not a delegate) and so to advise and vote according to their own judgement on matters before the Council, giving due weight to the views expressed by those whom they represent;
  - iv) to inform the Deanery, especially the priests, of the Council's deliberations subject to the requirements of 1.8 and 1.9 above;
  - v) to maintain lines of communication with Diocesan Commissions, major bodies and organizations and with important projects, as arranged and organized by the Council;
  - vi) to serve on Council Committees when requested;
  - vii) to attend all the meetings of the council;
  - viii) to inform the Council Secretary and in the case of a Deanery Representative, the Dean or the Priests' Deanery Meeting as soon as possible beforehand if unable to attend for a legitimate reason.
- (h) The term of office of elected members shall be for five years.
- (i) A representative shall cease to belong to the Council:
- i) by resignation accepted by the Bishop;
  - ii) by being moved from the Deanery which elected him;
  - iii) in the case of a Diocesan Representative, if unable to attend the Council Meetings regularly for whatever reason;
  - iv) or by the expiry of his term of office.
- (j) A new election, for a five year period, shall be held in the case of a Diocesan Representative within one month after a vacancy occurs; in the case of a Deanery Representative in the first Deanery Meeting of Priests after a vacancy occurs.
- (k) In order to ensure that the norms of Canon Law are observed the Bishop can institute, if considered necessary (as a temporary or permanent provision) a Deanery rota for elections to the Council. <sup>(12)</sup>

## 2.6 The Ex-Officio Members

- (a) Apart from the Bishop and the Co-adjutor or Auxiliary Bishop the following if they are priests are ex-officio members of the Council:
- i) the Vicars General
  - ii) the Episcopal Vicars

iii) the diocesan Treasurer

- (b) The ex-officio members, with the exception of the Bishops and the Vicars General are to provide an annual written report on developments in their area of responsibility for circulation among the members of the Priests' Council and be prepared to hear the views of the Council and answer members' questions.

## 2.7 The Appointed Members

The Bishop may freely appoint any priest to the Council from priests working in the Diocese or belonging to it. <sup>(13)</sup>

## 3. The Decree of Erection

The revised statutes of the Lancaster Diocesan Council of Priests are approved and established by the Bishop of the Diocese, after consultation with the priests, the Episcopal Decree being dated 31st March 1993.

### STANDING ORDERS AND RULES OF PROCEDURE

## 4. The Officers of the Council

- 4.1 In accordance with the provision of 2.2 above the Bishop may require the Council of Priests to elect a Vice-Chairman.
- 4.2 The Council shall elect from its members a Secretary.
- X 4.3 The Vice-Chairman and the Secretary shall hold office for a period of five years whether or not their membership would otherwise have lapsed.
- 4.4 The Council Vice-Chairman and Secretary may serve for two, but not more than two, consecutive periods of office.
- 4.5 It shall be the duty of the Vice-Chairman:
- (a) In connection with meetings to:
    - i) arrange for the meeting to open and close with prayer;
    - ii) accept apologies for absence;
    - iii) accept as correct the minutes of the previous meeting;
    - iv) deal with matters arising from the minutes;
    - v) notify the Council of correspondence;
    - vi) make announcements;
    - vii) introduce Committee reports;
    - viii) if presiding, to deal with items on the Agenda and to regulate the discussions;
    - ix) deal with any other business;
    - x) agree the time and place of next meeting.
  - (b) In connection with the general running of the Council:
    - i) to facilitate the efficient functioning of



the Council assisting the Bishop especially with regard to:

- 1) the organization of lines of communication with Diocesan Commissions, bodies and projects (see 1.7);
- 2) liaising with the Bishop and the Consultors concerning any recommendations of the Council;
- ii) to supervise the postal ballot of 2.5 (d) and the elections of 2.5 (e).

4.6 It shall be the duty of the Secretary to:

- (a) convene the Council meeting in accordance with the statutes and at the bidding of the Bishop;
- (b) send notice of the meeting, a copy of all detailed agenda and relevant documentation to all priests four weeks prior to the meeting;
- (c) prepare minutes of the meeting and record the voting;
- (d) circulate the minutes of each Council meeting to all priests entitled to have them within one month of the meeting;
- (e) keep a register of Councillors, elected, ex-officio and appointed, including the dates of their term of office and a record of attendance at meetings;
- (f) circulate reports to all Councillors at least two weeks before the meeting at which they are to be presented;
- (g) make copies of the agenda and minutes available to any priest who has the right to elect to the Council;
- (h) facilitate the efficient functioning of the council especially by assisting the vice-Chairman;
- (i) act as Treasurer unless the Council sees fit to create a separate office for this task.

## 5. The Council Steering Committee

5.1 The Council shall elect, for a period of three years, off the remainder of his membership, whichever is the shorter, one of its members who, with the Vice-Chairman, Secretary and two of the Consultors appointed by the Bishop, shall form a Steering Committee.

5.2 The member elected to the Steering Committee cannot serve two consecutive terms of office.

5.3 The duties of the Steering Committee shall include a

meeting with the Bishop before each Council meeting to:

- (a) review the recommendations of the previous meeting and
- (b) assist the Bishop in drawing up the agenda.

## 6. Concerning the Deanery Representative

6.1 It shall be the responsibility of the Dean assisted by the Deanery Secretary to:

- (a) ensure that the election is carried out secretly in accordance with the norms of Canon Law; <sup>(14)</sup>
- (b) appoint a temporary substitute if possible with the approval of the priests of the Deanery in the event of the absence of an elected representative.

6.2 It shall be the responsibility of the Deanery Secretary to notify the Council Secretary in writing the result of all elections to the Council.

## 7. The Content of Council Meetings

7.1 Apart from exceptional urgency approved by the Bishop, topics and propositions must be sent in writing to the Secretary of the Council at least six weeks before the meeting.

7.2 Councillors who wish to have announcements introduced under 4.5 (a) vi), shall submit them in writing to the Secretary before the meeting.

7.3 with regard to Any Other Business (4.5 (a) ix) a note in writing shall be given to the Secretary, who shall inform the Vice-Chairman. It is for the Bishop or Vice-Chairman to decide whether the matter is to be treated under this section.

7.4 It shall be the responsibility of the proponents introducing an item on the agenda to make arrangements for the item to be adequately presented at the meeting.

## 8. Conduct of the Meeting

8.1 Councillors shall keep their speeches brief and to the point; the Bishop or the Vice-Chairman shall have discretion to limit their duration.

8.2 The Council shall reach decisions by a simple majority vote, except in those matters which, because of their gravity the Bishop rules as requiring a two thirds majority.

8.3 Once a proposition has been rejected it may not be reconsidered for one year without the consent of two thirds of the Councillors present.

8.4 As the Bishop or Vice-Chairman decided, voting may be by a show of hands or by a secret ballot. The voting

shall be recorded. (see 4.6 (c)).

- 8.5 The Bishop or the Vice-Chairman, whichever is presiding, has the right of a second or casting vote.
- 8.6 Any amendment to a proposition shall be notified in writing to the Secretary in advance of the meeting for inclusion in the final Agenda of the meeting itself. No amendment, unless it has been notified in this way, shall be discussed at the meeting except by special leave of the majority of the Council members present.
- 8.7 When a proposition and any amendments are before the Council (see requirements of 7.1 and 8.6) the following is the order of voting: first an amendment to an amendment if one has been offered from the Council floor; then, the amendments as listed; finally, if all these fail, a vote shall be taken on the original proposition.
- 8.8 A motion to end discussion may be proposed by any member in the following terms that:
  - (a) the amendment be voted immediately;
  - (b) the proposition be voted immediately;
  - (c) discussion be closed without a vote;
  - (d) discussion be postponed.

## 9. Council Committees

- 9.1 The Council shall lay down the terms of reference of any Committee it may establish for the in-depth study of themes or topics.
- 9.2 A Committee may invite any suitably qualified persons to assist it.
- 9.3 The Council may dissolve, or change the membership of any Committee and may alter its terms of reference.
- 9.4 All Committees shall assist the Secretary by providing their reports to be circulated at least five weeks before the meeting at which they are to be presented.
- 9.5 The Committee reports shall have numbered paragraphs to facilitate easy reference.

## 10. Admission to Council Meetings

- 10.1 Priests incardinated into, and those appointed for pastoral work in the Diocese of Lancaster, have the right to be present at the Council meetings as observers, but not to speak or vote.
- 10.2 The Secretary, at the request of the Bishop or the Council, may invite any person to attend or address the Council, or to assist in the work of the Council but that person shall have no vote.

## 11. The Convening of Council Meetings

- 11.1 The Council of Priests shall be convened by the

Secretary at the bidding of the Steering Committee twice a year and at any other time by order of the Bishop.

- 11.2 A meeting shall be for one or two days, the duration of which is at the discretion of the Bishop.
- 11.3 A meeting may be prorogued at the discretion of the Bishop.
- 11.4 In connection with the two mandatory yearly meetings of the Council due notice of each meeting shall be given in order that the requirements of 7.1 above can be observed.

#### NOTES:

1. Canon 495 \$1
2. The principal matters on which the Council is to be consulted by the Bishop are listed here in numerical order:
  - Canon 461\$1 The Bishop is to consult the Council before deciding to call a diocesan Synod (See also Canon 463 \$1-4 and Canon 443 \$5).
  - Canon 500 \$2 The Council is to be consulted "in matters of more serious moment".
  - Canon 502 Concerning the establishment of The College of Consultors.
  - Canon 515 \$2 The Council must be consulted concerning the establishment, suppression or alteration of parishes.
  - Canon 531 The Council is to be consulted before the Bishop makes regulations concerning the destination of certain voluntary offerings and the remuneration of the clergy.
  - Canon 536 The Council is to be consulted before the Bishop decides it is opportune to decree the establishment of a pastoral council in each parish.
  - Canon 1215 \$2 The Council is to be consulted before the Bishop gives consent to the building of a new church.
  - Canon 1222 \$2 Before "secularising" a church building the Bishop is to consult the Council.
  - Canon 1263 The Bishop is to consult the Council before levying a tax on "public juridical persons" that is, on bodies who are subject to certain obligations and rights, e.g. parishes.
  - Canon 1742 \$1 The Bishop must consult two parish priests from a stable group chosen from the Council before deciding to transfer or remove parish priests for any reason listed in Canon 1741 (see also Canon 1750).
3. Canon 500 \$1.
4. Canon 500 \$3.
5. Canons 220 & 223.
6. Canon 501 \$2.
7. Canons 375 \$2 & 381 \$1.
8. Canon 500 \$1.
9. Canon 497.
10. Canon 502.
11. Canon 498.
12. Canon 501 \$1.
13. Canon 497 \$3.
14. Canon 119.