

New Apostolic Letter *Assegnare Alcune Competenze*

The Holy Father released a new apostolic letter in the form *motu proprio* on Tuesday, February 15, 2022. The date on which it was signed was February 11 (the Memorial of Our Lady of Lourdes), and Pope Francis directed that it be promulgated by publication in *L'Osservatore Romano*, to take effect on 15 February 2022, and subsequently to be published in the official commentary *Acta Apostolicae Sedis*.

The new *motu proprio* was issued in Italian, and as of this writing there is no Latin text available on the Vatican website. Within 24 hours of the initial release, on February 16, an English translation was published on the Vatican website. The Vatican translation can be found at this link: https://www.vatican.va/content/francesco/en/motu_proprio/documents/20220211-motu-proprio-assegnare-alcune-competenze.html.

The *motu proprio* makes changes to a number of canons in both the Latin code and the Eastern code. What follows is a chart containing the changes to the Latin code. It compares the original CLSA translation of the modified canons in the *CIC* with the Vatican's English translation posted on its website. There are strikethroughs in the second column (original text) and underlines in the third column (new text) for ease in highlighting the differences.

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Canon of CIC	Orig. 1983 CIC (CLSA transl.)	2022 New text Vatican (transl.)	Location in MP and Comments
can. 237 § 2 CIC on the erection of an interdiocesan seminary and its statutes	§2. An interdiocesan seminary is not to be erected unless the conference of bishops, if the seminary is for its entire territory, or the bishops involved have obtained the prior approval of the Apostolic See for both the erection of the seminary and its statutes.	§2. An interdiocesan seminary is not to be erected unless the conference of bishops, if the seminary is for its entire territory, or the bishops involved have obtained the prior <u>confirmation</u> of the Apostolic See for both the erection of the seminary and its statutes.	Art. 1 replaces the term “approval” with the term “confirmation”
can. 242 § 1 CIC concerning the program of priestly formation established by the episcopal conference	§1. Each nation is to have a program of priestly formation which is to be established by the conference of bishops, attentive to the norms issued by the supreme authority of the Church, and which is to be approved by the Holy See. This program is to be adapted to new circumstances, also with the approval of the Holy See, and is to define the main principles of the instruction to be given in the seminary and general norms adapted to the pastoral needs of each region or province.	§1. Each nation is to have a program of priestly formation which is to be established by the conference of bishops, attentive to the norms issued by the supreme authority of the Church, and which is to be <u>confirmed</u> by the Holy See. This program is to be adapted to new circumstances, also with the <u>confirmation</u> of the Holy See, and is to define the main principles of the instruction to be given in the seminary and general norms adapted to the pastoral needs of each region or province.	Art. 2 replaces the term “approved” with the term “confirmed”
can. 265 CIC on incardination	Every cleric must be incardinated either in a particular church or personal prelature, or in an institute of consecrated life or society endowed with this faculty, in <u>such</u> a way that unattached or transient clerics are not allowed at all.	Every cleric must be incardinated either in a particular Church or personal prelature, or in an institute of consecrated life or society endowed with this faculty, <u>or also in a public clerical association which has obtained this faculty from the Apostolic See</u> , in a way that unattached or transient clerics are not allowed at all.	Art. 3 adds to the structures that can incardinate clerics public clerical associations which have received that faculty from the Holy See, thereby harmonizing this canon with canon 357 §1 CCEO

<p>604 CIC on the order of virgins and their right to associate</p>		<p>§3. The diocesan bishop is competent for the recognition and erection of such associations at the diocesan level, within his territory; the conference of bishops is competent at the national level, within its own territory.</p>	<p>Art. 4 Adds a new paragraph <i>[This fills a lacuna, or at least clarifies competence.]</i></p>
<p>can. 686 § 1 CIC on the grant of an indult of excommunication, for a grave cause, to a member professed by perpetual vows</p>	<p>§1. With the consent of the council, the supreme moderator for a grave cause can grant an indult of excommunication to a member professed by perpetual vows, but not for more than three years, and if it concerns a cleric, with the prior consent of the ordinary of the place in which he must reside. To extend an indult or to grant it for more than three years is reserved to the Holy See, or to the diocesan bishop if it concerns institutes of diocesan right.</p>	<p>§1: With the consent of the council, the supreme moderator for a grave cause can grant an indult of excommunication to a member professed by perpetual vows, but not for more than <u>five</u> years, and if it concerns a cleric, with the prior consent of the ordinary of the place in which he must reside. To extend an indult or to grant it for more than <u>five</u> years is reserved to the Holy See, or to the diocesan bishop if it concerns institutes of diocesan right.</p>	<p>Art. 5 extends the time limit for five years, after which, competence for an extension or grant is reserved to the Holy See or to the diocesan bishop</p>
<p>can. 688 § 2 CIC on individuals temporarily professed who ask, for a grave cause, to leave the institute</p>	<p>§2. During the time of temporary profession, a person who asks to leave the institute for a grave cause can obtain an indult of departure from the supreme moderator with the consent of the council in an institute of pontifical right. In institutes of diocesan right and in the monasteries mentioned in can. 615, however, the bishop of the house of assignment must confirm the indult for it to be valid.</p>	<p>§2: During the time of temporary profession, a person who asks to leave the institute for a grave cause can obtain an indult of departure from the supreme moderator with the consent of <u>his or her</u> council; <u>in the case of an autonomous</u> monastery, mentioned in can. 615, however, the bishop of the house of assignment must confirm the indult for it to be valid.</p>	<p>Art. 6 assigns competence for the relevant indult to the supreme moderator, with the consent of the council. For the Latin Code, this applies to both institutes of pontifical right and institutes of diocesan right, as well as autonomous monasteries.</p>

<p>cann. 699 § 2, 700 CIC</p>	<p>CIC – can. 699 §2. In the autonomous monasteries mentioned in can. 615, it belongs to the diocesan bishop, to whom the superior is to submit the acts examined by the council, to decide on dismissal.</p> <p>CIC – can. 700: A decree of dismissal does not have effect unless it has been confirmed by the Holy See, to which the decree and all the acts must be transmitted; if it concerns an institute of diocesan right, confirmation belongs to the bishop of the diocese where the house to which the religious has been attached is situated. To be valid, however, the decree must indicate the right which the dismissed possesses to make recourse to the competent authority within ten days from receiving notification. The recourse has suspensive effect.</p>	<p>CIC – can. 699 §2: In the autonomous monasteries mentioned in can. 615, it belongs to the <u>major superior, with the consent of his or her council,</u> to decide on dismissal.</p> <p>CIC – can. 700: A decree of dismissal <u>issued in the case of a professed member takes effect from the time that it is communicated to the member concerned.</u> To be valid, however, the decree must indicate the right which the dismissed possesses to make recourse to the competent authority within ten days from receiving notification. The recourse has suspensive effect.</p>	<p>Art. 7 Modifies and reformulates, so that that the decree of dismissal from an institute, for a grave cause, of a temporarily or perpetually professed member takes effect from the time that the decree, issued by the supreme moderator with the consent of his or her council, is communicated to that member, who retains the right to appeal.</p>
<p>can. 775 § 2 CIC on the publication of catechisms by an episcopal conference for its own territory</p>	<p>§2. If it seems useful, it is for the conference of bishops to take care that catechisms are issued for its territory, with the previous approval of the Apostolic See.</p>	<p>§2: If it seems useful, it is for the conference of bishops to take care that catechisms are issued for its territory, with the previous <u>confirmation</u> of the Apostolic See.</p>	<p>Art. 8 replaces the term “approval” with the term “confirmation”</p>
<p>can. 1308 CIC on reducing the obligations of Masses</p>	<p>§1. A reduction of the obligations of Masses, to be made only for a just and necessary cause, is reserved to the Apostolic See,</p>	<p>§1: A reduction of the obligations of Masses, to be made only for a just and necessary cause, is reserved to <u>the diocesan bishop and to the supreme moderator of a</u></p>	<p>Art. 9 modifies competence</p>

	<p>without prejudice to the following prescripts.</p> <p>§2. If it is expressly provided for in the charters of the foundations, the ordinary is able to reduce the Mass obligations because of diminished revenues.</p> <p>§3. With regard to Masses independently founded in legacies or in any other way, the diocesan bishop has the power, because of diminished revenues and for as long as the cause exists, to reduce the obligations to the level of offering legitimately established in the diocese, provided that there is no one obliged to increase the offering who can effectively be made to do so.</p> <p>§4. The diocesan bishop also has the power to reduce the obligations or legacies of Masses binding an ecclesiastical institute if the revenue has become insufficient to pursue appropriately the proper purpose of the institute.</p> <p>§5. The supreme moderator of a clerical religious institute of pontifical right possesses the same powers mentioned in §§3 and 4.</p>	<p><u>clerical institute of consecrated life or a society of apostolic life.</u></p> <p>§2: With regard to Masses independently founded in legacies, the diocesan bishop has the power, because of diminished revenues and for as long as the cause exists, to reduce the obligations to the level of offering legitimately established in the diocese, provided that there is no one obliged to increase the offering who can effectively be made to do so.</p> <p>§3: The diocesan bishop also has the power to reduce the obligations or legacies of Masses binding an ecclesiastical institute if the revenue has become insufficient to pursue appropriately the proper purpose of the institute.</p> <p>§4: The supreme moderator of a clerical institute of consecrated life or a society of apostolic life possesses the same powers mentioned in §§2 and 3.</p>	
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<p>can. 1310 CIC on the obligations connected to pious causes and pious foundations</p>	<p>§1. The ordinary, only for a just and necessary cause, can reduce, moderate, or commute the wills of the faithful for pious causes if the founder has expressly entrusted this power to him.</p> <p>§2. If through no fault of the administrators the fulfillment of the imposed obligations has become impossible because of diminished revenues or some other cause, the ordinary can equitably lessen these obligations, after having heard those concerned and his own finance council and with the intention of the founder preserved as much as possible; this does not hold for the reduction of Masses, which is governed by the prescripts of can. 1308.</p> <p>§3. In other cases, recourse is to be made to the Apostolic See.</p>	<p>§1: The ordinary, only for a just and necessary cause, can reduce, moderate or commute the wills of the faithful for pious causes, after having heard those concerned and his own finance council and with the intention of the founder preserved as much as possible.</p> <p>§2: In other cases, recourse is to be made to the Apostolic See.</p>	<p>Art. 10 modifies competence</p>
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