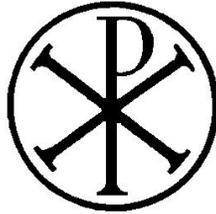


OLD CATHOLIC CONFEDERATION OLD CATHOLIC CHURCH IN THE UNITED STATES



CODE OF CANON LAW

PART ONE: THE OLD CATHOLIC CONFEDERATION

I. THE NATURE OF THE OLD CATHOLIC CONFEDERATION

Canon 001: The Old Catholic Confederation is a union of Old-Catholic Christians constituting the Old Catholic Church in the United States. As such, the Old Catholic Confederation is an autonomous ecclesial jurisdiction of the One, Holy, Catholic and Apostolic Church founded by the Divine authority of our Lord and Savior, Jesus Christ, through Apostolic Succession. Thus, the Old Catholic Confederation is hierarchical in nature, governed by a bishop. As such, the Old Catholic Confederation is a union of Churches, Dioceses, Religious Orders, Clergy and Laity within the territory of the United States.

Canon 002: The Old Catholic Confederation affirms the ancient Niceno-Constantinopolitan creed of the Christian Church, as formulated by the ancient Ecumenical Councils of the Church. As such, the Old Catholic Confederation further affirms the ancient, Catholic, Nicene, Episcopal and liturgical character and religious identity of the Old Catholic Church in the United States.

Canon 003: The Old Catholic Confederation shall be governed by a bishop, who shall hold the title of Primate. The Primate shall be Elected by a College of Consultors, with representatives from the national hierarchy, the clergy and lay faithful. Only a bishop may be elected to the Office of Primate.

§1. If a priest is Elected to the Office of Primate, he shall be Elevated *ipso facto* to Episcopal rank and dignity proper to his prelatial rank. He shall be known as Primate-Elect until he is consecrated to the holy Episcopate and the office is properly turned

over to him by his retiring predecessor; or in the event of the death of the former Primate, by the Dean of the College of Consultors.

§2. It is the duty of the incumbent Primate to organize the consecration of the Primate-Elect who shall be consecrated by the retiring Primate, or Auxiliary bishop in the event of the death of the former Primate, along with assisting bishops of the National Church, in order to retain Apostolic Succession in the hierarchy of the Old Catholic Confederation.

II. THE OFFICE OF THE PRIMATE OF THE OLD CATHOLIC CONFEDERATION

Canon 010: The Primate shall govern over the Old Catholic Confederation with the highest executive and canonical authority, exercising his supreme sacred power as Vicar of Christ. As such, the Primate shall have precedence of authority and honor. The Primate shall represent the Old Catholic Confederation nationally and internationally. For corporate purposes, the Primate shall be the President and the Chief Executive Officer of the Corporation.

§1. The Primate shall have the office and title of Primate for life. Upon the retirement or death of the founding Primate, the priests and lay faithful of the prelature shall elect a worthy and competent bishop or priest to the Office of Primate. The Election process shall be conducted by two representatives of the Curia and two representatives from the lay faithful.

§2. If and when the Primate wishes to retire from his Office, he shall inform the Curia and the Lay faithful and put the Election process in action. In the event of retirement, the retired Primate shall have the title Primate Emeritus and shall become second in precedence.

§3. Upon the retirement or death of the Primate, the Vicar General of the prelature shall govern over the Old Catholic Confederation, assisted by the Curia, in accordance with canonical precedence until a new Primate has been duly Elected within thirty days of the retirement or passing of the former Primate.

Canon 011: The Primate of the Old Catholic Confederation shall have the following duties and powers: 1) The executive governance and administration of the Old Catholic Confederation and its Mission, 2) The installation of Diocesan Bishops and Vicars General, 3) Appoint Vicars General 4) Receive Honorary bishops, 5) Preside over the Supreme Tribunal and Appoint judges to the Supreme Tribunal 7) To Inhibit a bishop from his Episcopal ministry for blatant violations of Canon law or misconduct, and 8) Have discretionary use of the budget of the Old Catholic Confederation to fulfill the duties of the Office of the Primate, for his pastoral ministry and the mission of the Confederation, and 9) to Preside over the College of Consultors and appoint members its members who shall serve at the grace of the Primate.

Canon 011: The Old Catholic Confederation shall have a Chancellor, Vice-Chancellor, Secretary, Treasurer, and other such officers, such as Vicar General, Vicar for Clergy, etc., constituting the Curia and Chancery, when deemed necessary for the administration of the Confederation and at the discretion of the Primate.

§1. The Officers of the Curia and the Chancery shall be appointed by the Primate and serve at the grace of the Primate.

III. THE COLLEGE OF CONSULTORS

Canon 015: The College of Consultors shall consist of bishops, clergy and laity, appointed by the Primate of the Old Catholic Confederation to advise him in the administration of the Church.

§1. The College of Consultors shall have a Dean, who shall be a bishop appointed by the Primate of the Old Catholic Confederation.

§2. During such time that a *sede vacante* arises in the Office of the Primate, due to death, or resignation, the College of Consultors is obliged to elect a new Primate within thirty days.

§3. During the *sede vacante*, the Dean shall act as Apostolic Administrator of the Old Catholic Confederation.

IV. CONCERNING MEMBER CHURCHES AND THEIR BISHOPS

Canon 020: Member Churches of the Old Catholic Confederation are *sui juris* Churches that exist in their own right and remain autonomous Churches in communion with the Old Catholic Confederation.

Canon 021: All Churches that identify as Old-Catholic and embrace the orthodox, Catholic faith, the divine authority of the Holy Gospel, the first Seven Ecumenical Councils, sacred Tradition especially embodied in the writings of the Fathers of the Church, the Sacraments, and especially the Holy Eucharist, follow the Episcopal Order, with bishops in Apostolic Succession, are eligible to petition for ecclesial membership in the Old Catholic Confederation.

§1. Ecclesial Membership in the Confederation can be revoked by the Primate when a Member Church violates the terms of membership in accordance with this Code of Canon Law.

§2. All Member Churches shall regard the Primate of the Old Catholic Confederation as “*primus inter pares*,” having a primacy of honor.

Canon 022: Only a qualified bishop, who holds the orthodox faith of the One, Holy and Catholic and Apostolic Church and who has valid holy Orders in Apostolic Succession, may petition for canonical recognition by the Synod of Bishops of the Old Catholic Confederation.

§1. Generally, a bishop should have a high degree of education, preferably in the sacred sciences, and to be known for his piety and goodness.

Canon 023: On occasion, and at the discretion of the Primate of the Old Catholic Confederation, and in consultation with the Synod of Bishops, a petitioning and qualified bishop may also be received with Episcopal dignity, as an honorary or assisting bishop and appointed by the Primate *motu proprio* to an administrative post within the prelatore.

Canon 025: All bishops received or elected into the Confederation may be required to be ordained "*sub conditione*" to the Holy Orders of Deacon, Priest and Bishop, at the discretion of the Primate and in consultation with the Chairman of the Bishops' Committee for Apostolic Succession.

§1. Without reservation, evaluation or study, the Synod of Bishops recognizes the historic Episcopate and authentic lines of Apostolic Succession from the canonical Eastern (Byzantine) Orthodox Churches in communion with the ancient See of Constantinople, the Oriental Orthodox Communion Churches, the Roman Catholic Church and the Eastern Catholic Churches in communion with the ancient See of Rome, the Old Catholic Churches of the Union of Utrecht, the Polish National Catholic Church and those Churches of the Union of Scranton, the Church of Sweden and the Churches of the Anglican Communion.

Canon 026: All Member Churches of the Old Catholic Confederation are obliged to follow their respective canons.

§1. Since Member Churches are *sui iuris* Churches, they are responsible for the proper canonical procedure of justice, having a local tribunal and an ecclesiastical court of appeals, in order to protect and preserve the rights of its clerics and people.

§2. All clerics (deacons, priests and bishops) and lay faithful of each particular Member Church shall have the right to petition to the Supreme Tribunal for matters of canonical justice, only after a decision has been made by the respective local tribunal and regional ecclesiastical court of appeals.

Canon 027: As a sign of their communion with the Old Catholic Confederation and in order to express visible unity of Old Catholic jurisdictions, the Primate should be invited to participate in the local Synods of all the Member Churches.

§1. In the event that the Primate of the Old Catholic Confederation is unable to attend in person, he may appoint a Delegate to represent him at a local or regional Synod.

§2. Each Member Church, Diocese or Parish, shall be required to pay for the travel, housing and expenses of the Primate or his Delegate, to attend a meeting of the regional Synod. In the event that the Member Church, Diocese or Parish is financially unable to

pay for the travel, housing and expenses of the Primate or his Delegate, the Primate is not required to attend the regional Synod, and he may simply send a letter of greetings in lieu of attendance.

PART II. THE OLD CATHOLIC CHURCH IN THE UNITED STATES

I. THE NATURE OF THE OLD CATHOLIC CHURCH IN THE UNITED STATES

Canon 030: The Old Catholic Church in the United States is a an autonomous particular Catholic Church of the One, Holy, Catholic and Apostolic Church, faithful to the holy Gospel and Apostolic tradition, governed by a Synod of Bishops founded upon the supreme authority of Our Lord and Savior, Jesus Christ, through Apostolic Succession. The Old Catholic Church in the United States shall faithfully observe the ancient canons of the One, Holy, Catholic and Apostolic Church and this Code of Canon Law promulgated and interpreted by the Synod of Bishops.

Canon 031: The Old Catholic Church in the United States is the national Church for Old-Catholics within the sovereign territory of the Republic of the United States, which affirms the divine authority of the Holy Gospel of our Lord and Savior, Jesus Christ, the First Seven Ecumenical Councils of the Church, the Niceno-Constantinopolitan Creed in its ancient formula, the Sacraments and Episcopal-Synodal governance of the Church. The Old Catholic Church also gives great respect to sacred Tradition, especially in the teachings of the Fathers of the Church.

Canon 032: The Old Catholic Church in the United States is hierarchical in nature, since it is founded upon the divine authority given to the Apostles by our Lord and Savior, Jesus Christ, which is embodied in the holy Orders of bishop, priest and deacon through Apostolic Succession. As such, the Church observes an Episcopal-Synodical polity.

Canon 033: As the National Church for the United States, the Old Catholic Church in the United States shall have a Metropolitan-Archbishop, who shall have the title of Archbishop of the United States.

§1. In the event that the Metropolitan-Archbishop of the Old Catholic Church in the United States does not hold the Office of the Primate of the Old Catholic Confederation, the Metropolitan-Archbishop of the United States, as with all Metropolitan-Archbishops of respective national Churches in communion with the Old Catholic Confederation, must make an oath of fidelity and obedience to the Primate of the Old Catholic Confederation.

Canon 034: The National Church shall have a Chancellor, Vice-Chancellor, Secretary, Treasurer, and other such officers, when deemed necessary for the administration of the Archdiocese of the United States and at the discretion of the Archbishop.

Canon 035: The Synod does not have the authority to discuss, change or vote on the ancient, orthodox, Catholic faith. The Synod shall give due respect to Apostolic tradition.

II. CONCERNING THE SYNOD OF BISHOPS

Canon 100: The Synod of Bishops holds Apostolic authority over the Old Catholic Church in the United States. Since the Church is hierarchical in nature and Episcopal-Synodical in polity, the Synod of Bishops shall promote the National Church while each Diocesan Bishop shall govern over his respective Diocese. Thus, the Archbishop of the United States shall govern over the Archdiocese of the United States as his own Archdiocesan See.

§1. The Primate of the Old Catholic Confederation shall preside over meetings of the Synod of Bishops.

Canon 101: The Synod of Bishops ought to reflect the cultural diversity of the National Church, electing bishops representing all ethnic backgrounds of the people of God.

Canon 102: The Synod of Bishops shall meet annually for prayer, fraternity, discussion, deliberation and, if necessary, to promulgate canons concerning matters specifically pertaining to the Old Catholic Church in the United States.

§1. Only the Primate of the Old Catholic Confederation can initiate the revision of this Code of Canon Law or the creation of new canons when it pertains to the Old Catholic Confederation.

Canon 103: The locations of the annual meetings of the Synod shall be decided by consensus vote; and when possible, it should be held at various locations representing the National Church.

Canon 104: The language of the annual meetings of the Synod of Bishops will be the language of the land with some provision for interpretation for visiting foreign bishops.

Canon 105: The Synod shall decide on matters of the Church by consensus vote.

§1. The bishops shall decide whether a vote of the Synod should be by hands or by secret ballot.

§2. When the bishops in Synod shall vote by secret ballot the Synod Secretary, appointed by the Primate, shall conduct the proceedings, with the assistance of the

highest ranking bishop in precedence, who shall announce the decision of the Synod, after consultation with the Primate.

Canon 106: There shall be representatives from the clergy and the laity to the Synod, who shall act in a consultative capacity to the bishops.

§1. Clerical Delegates shall come from the College of Canons of the National Cathedral of the Archdiocese of the United States, who may have as many as four Canon priests, elected by the College of Canons, and at least two priests, elected from the presbyterium of the Diocesan Clergy from the National Church.

§2. Each Diocese may elect one Lay Delegate from the parishes to represent the Laity of the respective Diocese, according to local norm.

III. CONCERNING THE OFFICE OF THE METROPOLITAN-ARCHBISHOP OF THE UNITED STATES

Canon 200: There shall be a Metropolitan-Archbishop of the Old Catholic Church in the United States, and the Metropolitan-Archbishop shall have all of the rights and privileges of a metropolitan in the National Church. He shall have the title of Archbishop of the United States.

§ 1. The Metropolitan-Archbishop shall serve for a canonical terms of five years upon which time he shall have the option to retire from this Office.

Canon 201: Upon election to the Office of the Archbishop of the United States, the Archbishop-Elect shall be installed at his Cathedra by the outgoing Archbishop.

§1. Upon retirement, or at the end of his term, the former Archbishop shall have the title Archbishop-Emeritus of the United States.

IV. CONCERNING BISHOPS

Canon 300: As Successor to the Apostles and Vicar of Christ in the local Church, the local Diocesan Bishop is the Shepherd to his flock and Ordinary; and as such, he is the lawful chief executive of his Diocese and holds the highest canonical authority over his respective Diocese. Upon rightful Election, the local Diocesan bishop may govern over his Diocese for life, so long as he is in good health.

§1. A Diocesan Bishop can only be removed his rightful Office as Ordinary by the Synod of Bishops, for persistent and obstinate violations of this Code of Canon Law, which would require canonical warnings by the Primate.

§2. Since some local, Diocesan bishops are, in fact, Suffragan bishops, of a Metropolitan See (i.e. Archdiocese of the United States), such bishops are under the oversight of the respective Metropolitan-Archbishop of the National Church, and they are required to seek counsel from the Metropolitan-Archbishop and to regard him as having a primacy

of honor and authority within the respective National Church, in accordance with tradition and canon law.

Canon 301: The local bishop, or the Ordinary, representing the Good Shepherd, is responsible for the care of his respective Diocese, the lay faithful and the clergy.

§1. The local Diocesan bishop is required to consult with the regional Metropolitan-Archbishop of his respective country.

§2. For reasons of ill health, age or incapacitation, a bishop may submit a Letter to the Primate requesting retirement in order to be relieved from his office as Ordinary or from active Episcopal ministry. With approval from the Primate, after consultation with the Synod, a bishop becomes retired from active ministry. A retired Diocesan bishop shall be granted the title of “Bishop Emeritus of (former See).”

§3. Upon approval of retirement of a local, Diocesan bishop, the respective Metropolitan automatically becomes the Apostolic authority over the vacant See, unless he appoints a suitable bishop or priest as “Apostolic Administrator” of the vacant Diocese and until a new bishop is Nominated, Elected by the Synod of Bishops and duly Appointed to the local See by the Primate.

§4. A retired bishop is eligible for a pension only after a minimum of ten years active service. The pension must derive from the Diocese in which the bishop served so long as he remains in obedience to his rightful successors and observes the hierarchical structure of authority and this Code of Canon Law.

Canon 302: All Assisting, auxiliary, or coadjutor bishops are required to make a promise of obedience to their Ordinary, the local Diocesan bishop and to his successors.

§1. All assisting, auxiliary or coadjutor bishops remain under obedience for life; and their resignation or retirement must be approved by the Synod of Bishops, with the consent of the respective local Diocesan bishop.

Canon 303: Only Ordinary, or Diocesan Bishops, or those bishops who have been Elevated to Diocesan Bishop, shall be the voting members of the Synod of Bishops.

Canon 304: Diocesan Bishops may remain voting bishops for life so long as they are in good health in order to competently fulfill their governing, pastoral and teaching duties.

§1. However, when a bishop reaches the age of seventy-five, he is regarded as eligible for canonical retirement, and he is required to consult with the Primate.

Canon 305: All Diocesan bishops must make a Promise of Obedience to the observe the resolutions and decisions of the Synod of Bishops concerning matters of the Old Catholic Church in the United States, which includes the Election and consecration of

bishops and matters of canonical justice beyond the local and Metropolitan See and relating to the decisions of the Supreme Tribunal.

§1. All bishops remain under obedience for life; and their resignation or canonical retirement must be approved by Synod of Bishops.

§2. While member Churches may elect their own bishops, according to their respective canons, the names of the Bishops-Elect are to be sent to the Primate for his blessing.

§3. The lawful successors of a presiding bishop of a Member Church, must notify the Primate upon his Election, requesting recognition and continued full Communion with the Old Catholic Confederation.

§4. With the letter of acceptance from the Primate, the newly-elected presiding bishop of a Member Church is required to attend the next Annual Meeting of the Synod of Bishops, if he is also nominated for a territorial See under the canonical authority of the Synod of Bishops. Upon Election to the Synod of Bishops, he also becomes a voting bishop of the Synod, representing his Member Church and respective territorial See.

§5. Since there can only be one voting bishop on the Synod of Bishops representing a respective Member Church, his predecessor loses his right to vote on the Synod of Bishops if he holds a canonical territory within the National Church under the Synod of Bishops.

§6. A former voting bishop of the Synod of Bishops (e.g., the former presiding bishop of a Member Church) may continue to hold a Diocesan See or Suffragan See within the Church.

Canon 306: Bishops of the member Churches may be elevated to some office of a national church, by nomination and election of the Synod of Bishops for a territorial jurisdiction under the Synod of Bishops.

Canon 307: All archbishops shall have the style of "His Grace" and the title of "Most Reverend."

Canon 308: All bishops shall have the style of "His Excellency" and the title "Right Reverend."

§1. Although within his own member Church, the bishop may follow the norms of his respective member Church in this matter.

Canon 309: A Metropolitan-Archbishop shall oversee the Suffragan dioceses of his Metropolitan See, providing counsel and assistance to his bishops and providing for the administrative needs of dioceses within his jurisdiction when a See becomes vacant and until the election of a successor bishop.

Canon 320: In accordance with the 1931 Bonn Agreement, all bishops of the Anglican Communion and of the Old Catholic Churches of the Union of Utrecht are recognized as Collegial bishops in full Communion with the Old Catholic Confederation and the Old Catholic Church in the United States. Collegial bishops are not voting members of the Synod, but to be regarded as a consultative body to the Synod. Collegial bishops shall have voice in the Synod.

Canon 321: Collegial bishops may be granted an Episcopal License by the local Diocesan or Metropolitan bishop, and they may be appointed to Diplomatic posts or to exercise Episcopal ministry in the Old Catholic Confederation.

Canon 340: Assisting bishops are bishops serving within the respective Member Churches, or Licensed by the local Diocesan bishop or Metropolitan to assist in Episcopal ministry. Assisting bishops are not voting members of the Synod.

§1. Assisting bishops are eligible for nomination and election to the Synod, and they may be appointed by the Primate to administrative or Diplomatic positions within the Old Catholic Confederation.

Canon 350: Honorary bishops are generally bishops of other ecclesiastical jurisdictions, recognized by the Synod of Bishops, who enjoy a position of honor in the Old Catholic Confederation.

§1. Honorary bishops may be licensed and appointed *motu proprio* by the Primate to an administrative position within the Old Catholic Confederation.

Canon 351: All bishops, including non-voting prelates, should attend the annual meeting of the Synod of Bishops; and contribute to the discussion, following sacred tradition, with charity even in debate.

Canon 360: All bishops of the Synod of Bishops are required and obliged to make the annual Oblation, by the date and in the amount prescribed by the Synod of Bishops in order to support the Old Catholic Confederation.

§1. All assisting, auxiliary and coadjutor bishops are required and obliged to make the annual Oblation to their local Diocesan bishop and Metropolitan, by the date and in the amount prescribed by the Synod of Bishops, in support of their Diocese and the National Church.

Canon 361: All Diocesan bishops, actively governing over a Diocese, are entitled to a salary by the respective Diocese, appropriate housing including utilities, or a stipend for these things, regular meals, or a stipend for food, a house keeper and cook, an

appropriate car, driver, auto insurance, a stipend for gasoline, an office with secretarial assistance and appropriate expenses for travel to fulfill the office of Diocesan bishop.

§1. In fraternal solicitude and charity, all retired Diocesan bishops, and bishops emeriti, are entitled to a salary by the respective Diocese he served, appropriate housing including utilities, or a stipend for these things, regular meals, or a stipend for food, a house keeper and cook, an appropriate car, driver, auto insurance, a stipend for gasoline, an office with secretarial assistance when necessary, if and when finances permit.

Canon 362: All assisting, auxiliary or coadjutor bishops, actively serving a Diocese, are entitled to a salary by the respective) Diocese, appropriate housing including utilities, or a stipend for these things, regular meals, or a stipend for food, a house keeper and cook, an appropriate car, driver and auto insurance, a stipend for gasoline, an office with secretarial assistance and appropriate expenses for travel to fulfill their office, at the discretion of the local Diocesan bishop and when finances permit.

§1. In fraternal solicitude and charity, all assisting, auxiliary or coadjutor bishops, in retirement, are entitled to a salary by the respective Diocese he served, appropriate housing including utilities, or a stipend for these things, regular meals, or a stipend for food, a house keeper and cook, an appropriate car, driver and auto insurance, a stipend for gasoline, an office with secretarial assistance when necessary, if and when finances permit.

Canon 370: All of the Active Diocesan bishops shall organize and be responsible for an annual parish Collection for the benefit of the National Church to be collected on first Sunday of November at every parish of the National Church and sent either by regular mail or by direct deposit, to the Primate by December 1 of every year.

Canon 379: The Primate of the Old Catholic Confederation shall commemorate the Pope and the Archbishop of Utrecht, thus: “ _____, Pope and Bishop of Rome; _____, the Archbishop of Utrecht, and me, your unworthy servant” at every celebration of the Holy Eucharist.

Canon 380: All Synod bishops shall commemorate the Pope, the Primate of the Old Catholic Confederation and the Metropolitan-Archbishop, thus: “ _____, Pope and Bishop of Rome; _____, our Primate and _____our Metropolitan and me, your unworthy servant” at every celebration of the Holy Eucharist.

Canon 381: All Assisting bishops shall commemorate the Pope, the Primate and Metropolitan-Archbishop and the local bishop, thus: “ _____, Pope and Bishop of

Rome; _____, our Primate, _____, our Metropolitan, and _____(our bishop) and me, your unworthy servant.”

V. CONCERNING THE ELECTION OF BISHOPS

Canon 400: All active priests in good standing within their respective Dioceses of the Old Catholic Church in the United States are to be considered eligible for nomination and election to the Holy Episcopate for the pastoral care of a Diocese, Vicariate or other jurisdiction.

§1. However, those priests who are especially known for their piety, holiness and devotion to the Church and to the People of God are to be regarded as excellent candidates. A candidate for the Episcopate should also have good academic credentials as well as pastoral and administrative experience.

Canon 401: Concerning Episcopal election, the local bishops may nominate qualified priests known for their love for the Church, studiousness and goodness for election to the Episcopate to serve as Suffragan (Diocesan), assisting, auxiliary or coadjutor bishops.

Canon 402: The Synod of Bishops generally requests nominations of priests from the respective Churches and Dioceses for the Episcopate to serve as ordinary bishops or bishops in the capacity of Vicar General for a Vicariate.

§1. Thus, nominations for the Episcopate may also originate from the clergy delegates or from lay delegates.

Canon 403: Further, the nominee for the Episcopate or an Episcopal Office (e.g. Suffragan or Auxiliary bishop) must be examined by the Synod of bishops before the nominated priest can be considered a candidate for election to the Episcopate.

§1. Thus, only the Synod of Bishops has the authority to declare a priest a candidate for the Episcopate, having been nominated and promoted by the Synod after the successful examination by the priest.

Canon 404: Upon receipt of a second of nomination of a priest for election to the Episcopate, the national Metropolitan-Archbishop is required to conduct a discreet inquiry concerning the candidate's worthiness by consulting representatives from the laity and the clergy, or delegate this process of nomination to the Dean of his Chapter of Canons, who will make recommendations to the metropolitan-archbishop.

Canon 405: Nominees for the Episcopate are required to attend the meeting of the Synod of Bishops where he shall be questioned by the Lay Delegates, Clergy Delegates and the Bishops.

§1. In order for a Nominee to become a Candidate for the Episcopate, the priest must first be elected by the Lay Delegates, followed by the Clergy Delegates.

Canon 406: The Election of bishops must be conducted in prayerful deliberation and by secret ballot, requiring a consensus vote, after the proper introduction of the Candidate for the Episcopate by the nominating bishop and the questioning by the Synod bishops individually and as a whole. After the Election of the new bishop by the Synod of Bishops, the Candidate for the Episcopate is officially pronounced as Bishop-Elect.

Canon 407: The new Bishop(s) elected by the Synod of Bishops must be publicly announced by the Synod in its Apostolic Acts and by Decree.

Canon 408: At the time of the election of a bishop, the Synod must set a date for the consecration of the new Bishop-elect. The Archbishop shall be the principal consecrator unless he is unable to do so; in which case, the principal consecrator and assisting bishop consecrators shall be decided by the Synod.

Canon 409: All of the bishops of the National Church are to be invited to attend and participate at the consecration of bishops-elect, which is always a celebration of the National Church.

Canon 410: Generally, the consecration of a newly-elected bishop should involve all the bishops of the Church, including bishops of member Churches.

Canon 450: At a suitable time, the newly-elected bishop must consult with the Archbishop to set a date to be properly installed as the local (Suffragan) Diocesan or Ordinary by the Archbishop; where the Apostolic Bull of Election shall be read, observed by the local Chapter of Canons, or Presbyterate, and the People of God in the local Church.

VI. CONCERNING CLERGY, RECTORS AND VICARS

Canon 600: All incardinated clergy of a respective Diocese are required to make a Promise of Obedience to their Diocesan Bishop or Ordinary.

§1. The Promise of Obedience is a life-long commitment and release of such promise of clerical obedience can only come from the local Diocesan bishop, by letter of Excardination or by virtue of the Cleric's Removal from active ministry and the removal from the clerical state.

Canon 605: All priests and deacons shall wear the cassock indoors and at Church. Clerical Collar may be worn outdoors. Priests may wear black, gray or blue or other such colored clerical shirts. Only a bishop may wear the purple clerical shirt.

§1. The cassock and clerical attire is to be understood as a uniform and treated with care, and the priest is required to keep it clean and pressed, wearing it with dignity and in proper form.

Canon 606: All clergy ought to carry themselves in a professional manner, cultivating their own spirituality, a charitable, virtuous character and gentlemanly demeanor and speech.

Canon 607: All clergy are encouraged to have a regular Confessor and Spiritual Director, to keep spiritual vigil on their own souls and to develop their relationship with the Lord.

Canon 608: All clergy should be engaged in Christian evangelization and actively seek out vocational aspirants; and by their public witness in the community.

Canon 610: All priests shall make themselves available for Confession. The Seal of Confession is to be held in all circumstances, and considering all matters grave and simple, unto death and under penalty of excommunication.

Canon 611: Deacons and Priests shall not make the pulpit political and use the pulpit to make ideological statements. Rather, deacons or priests are mandated to preach the Gospel.

Canon 612: All Clergy shall have a set stipend for baptisms, marriages and funerals, according to Diocesan norm. Needless to say, clergy shall not perform rites of other religions, which is an act of apostasy.

Canon 613: While priests may receive stipends for Mass intentions, this practice is discouraged. All such mass intentions must be fulfilled and recorded.

Canon 620: All Priests shall commemorate “_____, Pope and Bishop of Rome; _____, our Primate, _____ our Metropolitan, and _____our bishop” (Name of Local, Diocesan Bishop) at every celebration of the Holy Eucharist.

Canon 621: All Rectors and Vicars of missions, oratories and parishes are required to contribute their Oblation of the monthly *Cathedraticum* in the amount prescribed by the local bishop, and due by the last day of every month.

§1. The parish is also required to provide financial assistance to the local Bishop and Diocese, upon request from the Chancery or in accordance with the directives of the local, Diocesan Bishop.

Canon 622: All Rectors and Vicars shall receive a stipend, salary and benefits, as determined and contracted by the parish (mission or oratory) Vestry, which ought to provide for the priest and his family, as much as the respective mission, oratory or parish can provide in either a full-time or part-time ministry commitment. At minimum, a congregation is required to offer the priest a stipend for the Celebration of the Eucharist, according to local norm.

§1. All priests, actively serving as a parochial Rector or Vicar, are entitled to a salary in accordance with Diocesan norm paid by the respective parish, appropriate housing including utilities, or a stipend for these things, regular meals, or a stipend for food, a house keeper and cook, a stipend for gasoline and secretarial assistance to fulfill his office.

§2. In fraternal solicitude and charity, all priests who have retired from parochial ministry, are entitled to a pension paid by the parish he served, or paid by the pension fund to which the individual priest has contributed in accordance with its rules and regulations, housing including utilities, or a stipend for these things, regular meals, or a stipend for food, if and when finances permit. A priest qualifies for a pension only after twenty years of active service in the parish in which he served; and so long as he remains in obedience to his Ordinary and his Successors and this Code of Canon Law.

Canon 623: All Rectors and Vicars are required to keep a Register for all Income (Contributions, bequests, etc.), and Expenses, Mass Intentions, Baptisms, Marriages, Visiting the Sick and Funerals, which needs to be certified annually by the local Bishop, his Vicar General or Dean.

Canon 624: All missions, oratories and parishes, their property and financial holdings are to be put into the name of the respective Diocese.

Canon 625: In the event of the dissolution of the mission, oratory or parish, all assets (income, savings, real property, etc.) shall be returned to the Diocese and the local bishop.

Canon 626: All Rectors and Vicars are required to engage in some outreach to the community and to contribute to the poor, in accordance with the teaching of our Lord and Savior, Jesus Christ.

Canon 627: All missions, oratories and parishes are required to pay for the Bishop's Annual Visitation, his hotel accommodation and expenses; and for visits for confirmation or ordination, according to Diocesan norm.

Canon 630: All Rectors and Vicars ought to encourage tithing in their missions, oratories and parishes in order to make their communities self-sufficient and to properly provide worship space and salaries for their clergy.

Canon 670: If a priest or deacon is ever formally charged with a crime of sexual abuse against a minor, the Diocesan bishop is required to suspend the priest from active ministry until the decision of the civil Court. Upon acquittal, the priest or deacon shall be restored to active ministry. Upon conviction, the priest or deacon shall remain suspended from active ministry for a period of four years, or during the time of an appeal. After four years of suspension, or in the event that the appeal process is exhausted without acquittal, the bishop shall make a formal request from the Synod that the priest be removed from the clerical state permanently.

§1. During a period of suspension from ministry, the Vestry is required to honor the financial agreement of its contract for ministry with their Rector or Vicar.

VII. CONCERNING PARISHES, ORATORIES MISSIONS AND THE VESTRY

Canon 700: Every parish, oratory or mission should have a Vestry as soon as the Rector or Vicar has a congregation. The Vestry is constituted by the lay members of the parish, oratory or mission, who are responsible for assisting the Rector or Vicar with maintaining the physical buildings of the parish and consulting on the financial aspects of the parish Church. The Vestry shall work with the Rector or Vicar and report to the local Diocesan bishop as its ecclesiastical authority. The Rector or Vicar has the authority to appoint the Rector's Warden and a Junior Warden, with the approval of the local Diocesan bishop. The rest of the members of the Vestry are to be elected by the congregation of the parish. The term of each member of the vestry shall be five years renewable.

§1. While under the pastoral guidance of the local bishop, every parish is an independent canonical entity, which must be financially self-sustaining.

§2. The Rector or Vicar shall be the first signature required on all bank accounts, the Dean shall be the second (if one exists) and the Senior Warden shall be the third.

§3. The Senior Warden and the Junior Warden shall also be signatories on all bank accounts, for expenses over \$2,000.00.

§4. The Rector or Vicar, and the Vestry are required to remit the monthly parish contribution, or Cathedraticum, to the local Diocesan bishop, due on the last day of every month, on behalf of the parish, to support the Bishop's Episcopal ministry, Diocese and its mission.

§5. All parish purchases above \$5,000.00 shall require the approval of the parish Vestry.

Canon 701: In accordance with Diocesan norm, the Vestry is responsible for the material needs of their clergy, taking care to provide a suitable stipend or salary and benefits, where possible, for their priests who provide for their spiritual needs, in the celebration of the Eucharist, the Sacraments and funeral and other Rites of the Church.

§1. As such, the Vestry is required to provide their parochial Rector or Vicar with a contract for ministry, and they shall decide, in consultation with the Diocesan bishop, the term of the contract, whether the appointment is full-time or part-time, salary according to Diocesan norm, etc.

§2. The Vestry can only offer a contract for ministry to a licensed priest or deacon appointed by the local Diocesan bishop.

§3. In the event that the Rector or Vicar has been suspended or his license and faculties have been revoked by the local Diocesan bishop, it is the responsibility of the Vestry to cooperate with the Diocesan Bishop, or his delegate, such as the Vicar General or the local Dean, to remove the suspended priest or deacon from his office as Rector or Vicar, and his name from parish accounts, and from parochial residence within thirty days. Further, if the Rector or Vicar is suspended for a violation of Canon law, this would be a breach of the ministerial contract.

Canon 702: While it is the right and the duty of the Diocesan bishop to appoint priests as Rectors or Vicars for parochial assignments, the bishop shall involve and consult with the Vestry and the members of the parish.

§1. The Vestry is required to accept the decision of the Diocesan bishop and his appointment of a parochial Rector or Vicar.

Canon 703: All real estate and other such property purchased by the parish must be in the corporate name of the parish; in accordance with the norms of the Diocese, stating that upon dissolution, the parish property shall return to the local named Diocese under the authority of the local, Diocesan bishop.

§1. The Rector and the Vestry are required to consult with the local Diocesan bishop concerning the purchase or sale of any real estate or property of the Church.

§2. All parish real estate, or property, shall be purchased under the name of the respective parish.

Canon 704: It is the fiduciary responsibility and moral obligation of the parochial Rector or Vicar, and the parish Vestry to pay, or remit, all parish invoices, including the monthly Diocesan Cathedraticum, as soon as they are received and without delay.

§1. The parish may not have any outstanding debts, such as a mortgage or a car loan, without the approval of the parish Vestry and consultation with the local Diocesan bishop.

Canon 705: All parishes are required to have adequate liability insurance for Church property and for all clergy in active ministry. The Rector and the Vestry is required to send a copy of the annual liability policy to the local Diocesan bishop for chancery files.

VIII. CONCERNING RELIGIOUS ORDERS AND RELIGIOUS HOUSES

Canon 720: All religious orders recognized by the Old Catholic Confederation shall be considered juridical subjects of this Code of Canon Law.

Canon 721: All religious houses, including abbeys and priories, are recognized as independent and completely autonomous (*sui juris*) canonical entities, which are required to be self-governing and financially self-sufficient.

§1. The highest superior of the religious house, such as an abbot or a prioress, is the respective abbot or prioress, who holds the canonical duties, rights and privileges of an ordinary within his religious house and territory.

§2. The Primate of the Old Catholic Confederation does not have the power to interfere with the canonical authority of the local religious superior within his respective religious house and juridical territory.

§3. The local bishop does not have the power to interfere with the canonical authority of the local religious superior within his respective religious house and juridical territory.

Canon 722: All property of a religious order, or a religious house, should be in the name of the respective religious order or in the name of the religious house.

§1. The religious superior is required to have adequate liability insurance for property and all those clergy in active ministry.

IX. CONCERNING CLERGY, CHASTITY AND MARRIAGE

Canon 750: In accordance with sacred Tradition and the ancient canons of the Church, all clerics in major and minor Orders of the Church are expected to live a holy and chaste life, in accordance with the teachings of our Lord and Savior, Jesus Christ, and Apostolic tradition.

Canon 751: A postulant must remain in the state of life (celibate or married) he occupies at the time of his ordination to the holy Order of Deacon, Priest or Bishop.

§1. An unmarried postulant for Holy Orders must inform the bishop of which state of life he desires, whether to be celibate or to be married. If the postulant wishes to be married, the date of his ordination to Holy Orders should be postponed by the bishop until at least six months after he has become married, with the blessing of the bishop.

§2. A cleric in major Orders (i.e. Deacon, Priest or Bishop) is not permitted to marry, in accordance with Apostolic tradition and ancient canon law.

Canon 752: Upon the death of the spouse of a married priest, the widower priest is required to live a celibate life, preferably as a monastic, in accordance with Apostolic tradition and ancient canon law.

§1. However, in the case of the death of a priest's wife early in their life together and when there are young children, the local bishop may grant the widower priest permission to re-marry as a "pastoral decision."

Canon 753: If a priest is oppressed by his spouse for his religious piety, priestly ministry or priestly obedience to the Church, he is required to inform his bishop who may permit him to separate from his wife, after prayer, penance and consultation with the bishop.

§1. If the spouse remains obstinate, uncharitable and refuses to change, the bishop may grant an ecclesiastical divorce to the priest by "pastoral decision."

§2. If the bishop grants permission for conjugal separation, or in the event of an ecclesiastical divorce under such circumstances, the priest will be required to live a celibate life, preferably as a monastic, during the period of separation or upon divorce.

§3. In general, however, a priest is forbidden to divorce from his spouse, without consultation with his bishop; and then, only for reasons of unchastity or oppression of his religion, in accordance with Apostolic tradition and ancient canon law.

Canon 754: When a married bishop becomes a widower, he is required to live a celibate life as a monastic in accordance with ancient tradition and in fulfillment of his promise of obedience to the Synod of Bishops.

X. CONCERNING THE ESTABLISHMENT OF A PRELATURE

Canon 770: During such time as deemed necessary and for the benefit of the people of God, a territorial Prelature can be established by decree as a separate and distinct ecclesiastical jurisdiction for the juridical subjects of the Old Catholic Church in the United States, at the discretion of the Primate of the Old Catholic Confederation; and thus, those juridical subjects of the Old Catholic Church in the United States would fall under the canonical authority of the U.S. Prelature for Old-Catholics.

§1. Under the canonical structure of a territorial prelature, the ecclesiastical jurisdiction (especially the clergy, under the promise of obedience) shall be governed by a Vicar General who shall have full canonical and executive authority over the prelature as an Ordinary.

§2. The Vicar General of the Prelature shall be appointed by the Primate of the Old Catholic Confederation whom he shall acknowledge with precedence of authority and honor.

§3. The Vicar General of the Prelature shall serve in this office at the grace of the Primate of the Old Catholic Confederation.

§4. If a priest is named to the Office of Vicar General, he shall be elevated to the rank and dignity of Canon, if he does not already hold this rank.

§5. A prelature can only be dissolved by decree of the Primate of the Old Catholic Confederation.

XI. CONCERNING THE SUPREME TRIBUNAL OF THE SYNOD OF BISHOPS

Canon 800: The Supreme Tribunal of the Synod of Bishops is the highest ecclesiastical court of appeals for all dioceses and vicariates of the National Church in order to recognize the right every Christian, clerics and laity alike, to due process and for the promotion of justice in the Old Catholic Church in the United States.

Canon 801: An appeal to the Supreme Tribunal of the Synod of Bishops can only take place after the judicial process of the member Church has been exhausted, and one has submitted a petition to the local Metropolitan Tribunal, or in the event of a vacant tribunal, negligence or neglect by the Metropolitan Tribunal to act within sixty days of the petition.

Canon 802: The Supreme Tribunal of the Synod of Bishops considers all judicial and ecclesiastical matters of the Old Catholic Church in the United States. The decisions of the Supreme Tribunal are final and its judgments and orders are binding upon all juridical subjects of the National Church.

Canon 803: All of the investigations and proceedings of the Supreme Tribunal are to be conducted with great discretion, respect and charity.

Canon 804: It is the duty of the Primate of the Old Catholic Confederation to appoint worthy and qualified priests, or bishops to act as judges for cases before the Supreme Tribunal.

Canon 805: It is the duty of the Vicar General for Justice and Canonical Affairs to act in the capacity of Advocate for justice, or prosecutor, during the proceedings of the Supreme Tribunal.

Canon 806: Every Christian has the right of counsel, having a canon or civil lawyer, to represent him or her before the Supreme Tribunal.

Canon 807: In the event that a bishop is accused of some serious wrongdoing by a layman of the Church, it is the duty of the Primate to discern whether the accusations are to be brought to the Supreme Tribunal. After his investigation, and he discerns that there is wrongdoing, then it is the duty of the Primate to appoint three bishops (which may include himself) to act as judges of the Supreme Tribunal. Once the Supreme Tribunal is formed, it is the duty and the responsibility to inform the accused bishop and to set a date for an initial hearing with the bishop. The accused bishop has the right to have a canon or civil lawyer, or another bishop, to act as his advocate. If the Supreme Tribunal finds cause, then it sets a date for a trial to commence. If the Supreme Tribunal finds the accused bishop as guilty, the decision is announced to the bishop who must then stand before the Synod of Bishops at the next annual meeting, to answer the questions put to him by his brother bishops, for their final decision. If the Synod finds the bishop guilty, the bishop is required to accept the judgment and the sentence of the Synod of Bishops, whether it be in penance, removal from his office as Ordinary, or deposition.

Canon 808: In the event that a bishop refuses to accept the decisions of the Supreme Tribunal, the Primate may call the bishop to explain himself before the Synod of Bishops. As the highest Apostolic authority of the Church, the Synod is the only ecclesiastical body that has the canonical power to order a bishop to accept the judgment of the Supreme Tribunal under the threat of discipline, which may include dismissal or excommunication.

§1. Since the Church itself is founded upon the ministry of the bishop, whose Apostolic ministry and episcopal authority derives by divine right, upon the supreme authority of our Lord and savior, Jesus Christ, the Synod's canonical power only extends to removing a bishop from his ecclesiastical appointments. Thus, a disciplined bishop remains a bishop of the Church, but he suffers the loss of voting and canonical authority over his (former) appointed Diocese, Vicariate or other such jurisdiction granted by the Synod.

XII. CANONICAL PROCEDURE AND DISCIPLINE

Canon 900: The Church acknowledges that because of sin, marriages do not always result in happiness. Thus, by virtue of his Apostolic authority, the local Diocesan bishop

has the power to dissolve the vows of the married couple and grant an ecclesiastical divorce. The bishop should make his pastoral decision only after he has advised the couple to prayer, penance and discernment, which may involve counseling and a period of separation.

§1. Thus, remarriage in the Church is only possible after an ecclesiastical divorce by the local Diocesan bishop.

Canon 901: All priests are required to petition from their local bishop an ecclesiastical divorce for any Christian requesting Holy Matrimony when there has been a previous marriage and a civil divorce.

Canon 1012: A cleric can only be Incardinated with one bishop in one Diocese.

§1. If a cleric has illicitly Incardinated into another Diocese simultaneously, or in the event that the cleric did not disclose his current or previous state of Incardination to the local Diocesan bishop at the time of his petition for Incardination, the priest is subject to suspension of ministry.

XIII. JURISPRUDENCE AND CANON LAW

Canon 2001: This Code of Canon Law rests upon the foundation of the orthodox, Catholic faith, the theology of the ancient Church, Apostolic tradition and belonging to the entire history of canon law and especially the ancient canons of the Church, which is always to be understood and interpreted by the Synod of Bishops.

§1. When an issue arises that is not addressed by this Code of Canon Law, the ancient canons are to be consulted in such matters.

§2. For clarification and definitions of terms pertaining to jurisprudence and the fundamental principles of canon law, the 1983 Code of Canon Law of the Catholic Church and its scholarly commentary is to be consulted, especially with respect to juridical persons and ecclesiastical goods, using hermeneutical principles consistent with Old-Catholic theology.

**THIS CODE OF CANON LAW, REVISED AND
PROMULGATED BY DECREE, ON THIS THE TWENTIETH-EIGHTH
DAY OF AUGUST ANNO DOMINI TWO THOUSAND AND EIGHTEEN,
MOHNTON, PENNSYLVANIA.**