



CHAPTER 3
Rights,
Responsibilities
and
Special Faculties
of
Pastors, Parochial
Administrators and
Chaplains

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INTRODUCTORY NOTE

The pastor, by virtue of his office and under the authority of the diocesan bishop, exercises the priestly ministry of sanctifying, teaching and governing on behalf of the faithful entrusted to his care. (cf. Can. 519)

The parochial administrator is a priest who is appointed to substitute for the pastor “[w]hen a parish becomes vacant or when a pastor is prevented from exercising his pastoral function in the parish by reason of captivity, exile or banishment, incapacity or ill health, or some other cause.” (cf. Can. 539)

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The chaplain is “a priest to whom is entrusted in a stable manner the pastoral care, at least in part, of some community or particular group of the Christian faithful.” (cf. Can. 564) The following are examples of groups of the faithful for whom a chaplain may be appointed: communities of members of institutes of the consecrated life; residents and personnel in an orphanage, home for children, home for the developmentally disabled, convalescent center or home for the elderly; patients and personnel in a hospital; students and personnel at a middle school, high school, college or university; and migrants, exiles and refugees.

IN GENERAL

Pastors

1.

By universal Church law, “[t]he pastor (*parochus*) is the proper pastor (*pastor*) of the parish entrusted to him, exercising the pastoral care of the community committed to him under the authority of the diocesan bishop in whose ministry of Christ he has been called to share, so that for that same community he carries out the functions of teaching, sanctifying, and governing, also with the cooperation of other presbyters or deacons and with the assistance of lay members of the Christian faithful, according to the norm of law.” (Can. 519)

2.

By universal Church law, “[a] pastor is obliged to make provision so that the word of God is proclaimed in its entirety to those living in the parish; for this reason, he is to take care that the lay members of the Christian faithful are instructed in the truths of the faith, especially by giving a homily on Sundays and holy days of obligation and by offering catechetical instruction. He is to foster works through which the spirit of the gospel is promoted, even in what pertains to social justice. He is to have particular care for the Catholic education of children and youth. He is to make every effort, even with the collaboration of the Christian faithful, so that the message of the gospel comes also to those who have ceased the practice of their religion or do not profess the true faith.” (Can. 528, §1)

3.

By universal Church law, “[t]he pastor is to see to it that the Most Holy Eucharist is the center of the parish assembly of the faithful. He is to work so that the Christian faithful are nourished through the

devout celebration of the sacraments and, in a special way, that they frequently approach the sacraments of the Most Holy Eucharist and penance. He is also to endeavor that they are led to practice prayer even as families and take part consciously and actively in the sacred liturgy which, under the authority of the diocesan bishop, the pastor must direct in his own parish and is bound to watch over so that no abuses creep in." (Can. 528, §2)

4.

By universal Church law, "[i]n order to fulfill his office diligently, a pastor is to strive to know the faithful entrusted to his care. Therefore he is to visit families, sharing especially in the cares, anxieties, and griefs of the faithful, strengthening them in the Lord, and prudently correcting them if they are failing in certain areas. With generous love he is to help the sick, particularly those close to death, by refreshing them solicitously with the sacraments and commending their souls to God; with particular diligence is to seek out the poor, the afflicted, the lonely, those exiled from their country, and similarly those weighed down by special difficulties. He is to work so that spouses and parents are supported in fulfilling their proper duties and to foster growth of Christian life in the family." (Can. 529, §1)

5.

By universal Church law, "[a] pastor is to recognize and promote the proper part which the lay members of the Christian faithful have in the mission of the Church, by fostering their associations for the purposes of religion. He is to cooperate with his own bishop and *presbyterium* of the diocese, also working so that the faithful have concern for parochial communion, consider themselves members of the diocese and of the universal Church, and participate in and sustain efforts to promote this same communion." (Can. 529, §2)

~ Parochial Administrators

6.

By universal Church law, "[a] parochial administrator is bound by the same duties and possesses the same rights as a pastor unless the diocesan bishop establishes otherwise." (Can. 540, §1) Therefore, unless otherwise determined, the faculties herein granted to pastors also are granted to parochial administrators.

7.

By universal Church law, "[a] parochial administrator is not permitted to do anything which prejudices the rights of the pastor or can harm parish goods." (Can. 540, §2)

8.

By universal Church law, "[a]fter he has fulfilled his function, a parochial administrator is to render an account to the pastor." (Can. 540, §3)

~ Chaplains

9.

By universal Church law, "[a] chaplain must be provided with all the faculties which proper pastoral

care requires. In addition to those which are granted by particular law or special delegation, a chaplain possesses by virtue of office the faculty of hearing the confessions of the faithful entrusted to his care, of preaching the word of God to them, of administering Viaticum and the anointing of the sick, and of conferring the sacrament of confirmation on those who are in danger of death." (Can. 566, §1)

RESPONSIBILITIES ESPECIALLY ENTRUSTED TO THE PASTOR

10.

By **universal Church law**, "[t]he following functions are especially entrusted to a pastor:

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- 1° the administration of baptism;
- 2° the administration of the sacrament of confirmation to those who are in danger of death, according to the norm of can. 883, n. 3;
- 3° the administration of Viaticum and of the anointing of the sick, without prejudice to the prescript of can. 1003, §§2 and 3, and the imparting of the apostolic blessing;
- 4° the assistance at marriages and the nuptial blessing;
- 5° the performance of funeral rites;
- 6° the blessing of the baptismal font at Easter time, the leading of processions outside the church, and solemn blessings outside the church;
- 7° the more solemn eucharistic celebration on Sundays and holy days of obligation." (Can. 530)

THE SACRAMENTS

~ Baptism

11.

By **universal Church law**, the pastor has the right to baptize all those entrusted to his pastoral care. (cf. Can. 530, 1°) Each baptism conferred is to be recorded in the baptismal register of the place. (cf. Can. 877, §§1-3)

12.

By **grant of the diocesan bishop**, the chaplain in an orphanage or home for children, which is not simply a day school or private foster home, can confer the sacrament of baptism. The same faculty is granted to the chaplain of a convalescent or rest home, or of a hospital, on behalf of adult converts who are patients and, when necessary, on behalf of infants born in the hospital. In these places there is to be kept a baptismal register wherein the appropriate information is to be recorded. (cf. Can. 877, §§1-3)

13.

By **grant of the diocesan bishop**, the pastor can baptize one who has completed the fourteenth year of age without referring the matter to the diocesan bishop beforehand. (cf. Can. 863)

~ Confirmation

14.

By **universal Church law**, the pastor or chaplain can and must administer the sacrament of confirmation to those persons who are no longer infants and whom he baptizes. (cf. Cann. 530, 1°; 566, §1; 882; 883, 2° and 885, §2; *RCIA*, Nos. 14, 24, 215 and 305)

15.

By **universal Church law**, the pastor or chaplain can and must confirm those persons who have attained the use of reason but already have been baptized in another church or ecclesial communion, when they are received by him into full communion with the Catholic Church. (cf. Cann. 883, 2° and 885, §2; *RCIA*, No. 481; *NSC*, No. 35)

16.

By **universal Church law**, the pastor or the chaplain can and must confirm the following on the occasion of readmission to full communion with the Roman Catholic Church: the baptized Catholic who has been an apostate from the faith, and the baptized Catholic who through no fault of his or her own has been raised in a non-Catholic religion or joined a non-Catholic religion. (cf. Can. 883, 2°; *NSC*, No. 28)

17.

By **grant of the diocesan bishop**, the pastor or the chaplain can confirm, on the occasion of his or her readmission to full communion with the Roman Catholic Church, the baptized Catholic who through no fault of his or her own never put the faith into practice. (cf. Can. 884, §1; *NSC*, No. 29)

18.

By **universal Church law**, the pastor or the chaplain can confer the sacrament of confirmation on those who are in danger of death. (cf. Cann. 566, §1 and 883, 3°)

~ Holy Eucharist

19.

By **universal Church law**, "[a]fter a pastor has taken possession of his parish, he is obliged to apply a Mass for the people entrusted to him on each Sunday and holy day of obligation in his diocese. If he is legitimately impeded from this celebration, however, he is to apply it on the same days through another or on other days himself." (Can. 534, §1) "A pastor who has the care of several parishes is bound to apply only one Mass for the entire people entrusted to him on [each Sunday and holy day of obligation]." (Can. 534, §2) "A pastor who has not satisfied the obligation mentioned in §§1 and 2 [of Canon 534] is to apply as soon as possible as many Masses for the people as he has omitted." (Can. 534, §3)

20.

By **universal Church law**, “[t]he pastor and the rector of a church or other pious place which regularly receives offerings for Masses are to have a special book in which they note accurately the number of Masses to be celebrated, the intention, the offering given, and their celebration.” (Can. 958, §1)

21.

By **universal Church law**, the chaplain can administer Viaticum. (cf. Can. 566, §1)

~ Penance

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22.

By **universal Church law**, the chaplain can hear the confessions of those confided to his care. (cf. Can. 566, §1)

~ Anointing of the Sick

23.

By **universal Church law**, the chaplain can administer the anointing of the sick to those confided to his care. (cf. Can. 566, §1)

~ Marriage

24.

By **universal Church law**, the pastor validly assists within the confines of his parish at the marriages of his parishioners as well as of non-parishioners provided one of the parties is of the Latin rite. (cf. Can. 1109)

25.

By **universal Church law**, the pastor, as long as he validly holds office, can delegate to priests and deacons the faculty, even a general one, of assisting at marriages within the limits of his parish. (cf. Can. 1111, §1) “To be valid, the delegation of the faculty to assist at marriages must be given to specific persons expressly. If it concerns a special delegation, it must be given for a specific marriage; if it concerns a general delegation, it must be given in writing.” (Can. 1111, §2)

26.

By **grant of the diocesan bishop**, the pastor can assist at the following marriages (cf. Can. 1071):

- 1° the marriage of a person who is bound by natural obligations toward another party or children arising from a previous union, provided these obligations are being met;
- 2° a marriage to be entered into through a proxy.

27.

By **grant of the diocesan bishop**, the pastor can permit a marriage in his parish between a Catholic and a baptized person who is not Catholic to be celebrated within Mass for serious pastoral reasons, except that, according to the general law, communion is not given to the non-Catholic. (cf. *Rite of Marriage*, No. 8 [DOL, No. 2976]; Can. 844, §4; *Syn IV*, pp. 160-162, §§27-31)

For a marriage between a Catholic and one who is not baptized, the "Rite for Celebrating Marriage between a Catholic and an Unbaptized Person" is to be followed. The marriage is not to be celebrated during Mass. (cf. *Rite of Marriage*, Nos. 8 and 55-66)

28.

By **universal Church law**, the pastor can permit a marriage between a Catholic and a baptized person who is not Catholic to be celebrated in a church or oratory other than the parish church. (cf. Can. 1118, §1)

~ Sacramental Registers

29.

By **universal Church law**, the pastor is to see to it that the parish's sacramental records are accurately inscribed and carefully preserved. (cf. Can. 535, §1)

OTHER ACTS OF DIVINE WORSHIP

~ Ecclesiastical Funeral Rites

30.

By **grant of the diocesan bishop**, the pastor can permit children to be given ecclesiastical funerals if their parents intended to baptize them but they died before their baptism. (cf. Can. 1183, §2)

31.

By **grant of the diocesan bishop**, the pastor can, for a good reason, grant ecclesiastical funerals to baptized members of a non-Catholic church or ecclesial community unless it is evidently contrary to their will and provided that their own minister is not available. (cf. Can. 1183, §3)

~ Preaching

32.

By **universal Church law**, the chaplain can preach the word of God to those entrusted to his care. (cf. Can. 566, §1)

REMISSION OF CENSURES

33.

By **universal Church law**, "[i]n hospitals, prisons, and on sea journeys, a chaplain, moreover, has the faculty, to be exercised only in those places, of absolving from *latae sententiae* censures which are neither reserved nor declared, without prejudice, however, to the prescript of can. 976." (Can. 566, §2)

DISPENSATIONS AND COMMUTATIONS (cf. Can. 89)

34.

By **grant of the diocesan bishop**, the pastor and chaplain can dispense, in individual cases and for a just reason, from the eucharistic fast. This faculty can be exercised on behalf of a parishioner, on behalf of a person visiting within the boundaries of the parish or on his own behalf. (cf. Cann. 91 and 919, §1)

35.

By **universal Church law**, the pastor and chaplain can dispense, in individual cases and for a just reason, from the obligation to observe a feast day or a day of penance; or he can commute it to another pious work. (cf. Can. 1245) This faculty can be exercised on behalf of a parishioner; on behalf of a person visiting within the boundaries of the parish or on his own behalf. (cf. Can. 91)

36.

By **universal Church law**, the pastor can dispense from private vows made by a parishioner or traveler within the territory of the parish, provided that the dispensation does not injure a right acquired by others. (cf. Can. 1196, 1°)

37.

By **universal Church law**, the pastor can commute to a lesser good the work promised in a private vow by a parishioner or by a traveler within the territory of the parish. (cf. Can. 1197)

38.

By **universal Church law**, the pastor can suspend, dispense or commute, for a just reason, a promissory oath made by a parishioner, unless the dispensation from the oath tends to the disadvantage of others who refuse to remit its obligation; in this case only the Apostolic See can dispense the oath. (cf. Can. 1203)

PARISH PASTORAL COUNCIL AND PARISH FINANCE COUNCIL

39.

By **diocesan Church law**, the pastor is to convene regularly a parish pastoral council. (cf. John J. Paul, Decree, May 1, 1985; John J. Paul, "Diocese of La Crosse, Norms for Parish Pastoral Councils," May 1, 1985, Nos. 4-5)

40.

By **universal Church law**, the pastor is to convene regularly a parish finance council. (cf. Can. 537; John J. Paul, "Diocese of La Crosse, Norms for Parish Finance Councils," May 1, 1985, Nos. 5-6)

41.

By **universal Church law**, the pastor presides over the parish pastoral council. (cf. Can. 536, §1; John J. Paul, "Diocese of La Crosse, Norms for Parish Pastoral Councils," May 1, 1985, No. 5, §1, 1°-2°)

42.

By **diocesan Church law**, the pastor presides over the parish finance council. (cf. John J. Paul, "Diocese of La Crosse, Norms for Parish Finance Councils," May 1, 1985, No. 6, §1, 1°-3°)

ADMINISTRATIVE RECOURSE

43.

By **diocesan Church law**, the pastor is obliged to participate in the process of administrative recourse, according to the norm of diocesan legislation. (cf. *NARDI*, No. 3, §2, 1°-2°)

ADMINISTRATION OF TEMPORAL GOODS

44.

By **universal Church law**, “[i]n all juridic affairs the pastor represents the parish according to the norm of law. He is to take care that the goods of the parish are administered according to the norm of cann. 1281-1288.” (Can. 532)

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RESIDENCE

45.

By **universal Church law**, “[a] pastor is obliged to reside in a rectory near the church,” unless the local ordinary has determined otherwise. (Can. 533, §1)

46.

By **universal Church law**, “[i]n order to be absent from the parish for more than a week a pastor is bound to inform the local ordinary.” (Can. 533, §2) By **grant of the diocesan bishop**, the pastor is dispensed from the above-mentioned obligation.

VACATION

47.

By **universal Church law**, “[u]nless there is a grave reason to the contrary, a pastor is permitted to be absent from the parish each year for vacation for at most one continuous or interrupted month; those days which the pastor spends once a year in spiritual retreat are not computed in the time of vacation.” (Can. 533, §2)

RETIREMENT

48.

By **legislation of the National Conference of Catholic Bishops**, “75 is the normal retirement age, but for pastoral or personal reasons it may occur earlier. Pastors are to submit letters of resignation by the age of 75.” (National Conference of Catholic Bishops, *Norms For Priests and Their Third Age*, Nov. 18, 1987, Norm 1)