

Canons of the Old Catholic Church of North America

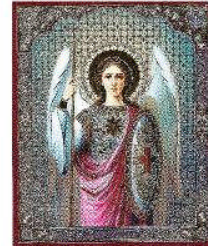


Diocese of Montana

Diocese of Texas



"De Oppresso Liber"



Diocese of Massachusetts

Diocese of Florida

Prologue

The following material is a compilation of those laws, decrees, and declarations, which have been adopted by the House of Bishops for the governance and administration of the Old Catholic Church of North America. The latest revision of this document was adopted by the House of Bishops on June 10, 2010. Work on this document is on going. Requests for clarification, suggestions, and comments should be sent to one's own bishop who will forward them to the authority within the church.

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TITLE I **Introduction: The Church**

The Church is the Body of which Jesus Christ is the Head, and all baptized people are the members. When Jesus gave to the Apostles the Divine Commission to teach the Gospel to all nations and gave them the special gift of the Holy Spirit to carry on this work of bringing men to God, He ordained them to preach, to administer the Sacraments, to declare Gods forgiveness of sins and to guide God's Family. Therefore the ministry is an original part of the Church. The Apostles preserved and continued this Ministry through the laying on of hands with prayer, and the Church guided by the Holy Spirit persisted ever since to hold that Ministry " the Ministry of Bishops, Priests, and Deacons."

The Church as a human institution must promulgate rules for the Clergy in the exercise of their ministry, in the administration of the Holy Sacraments, and in regard to their obligations both in their interior life and their exterior behavior.

Thus, the general rules of the Church are binding upon the all members, clergy and laity, for whom they are issued and promulgated.

Official interpretation of the laws of the Church rests in the House of Bishops.

CANON I Name of the Church

Section 1. The official name of the Church shall be "Old Catholic Church of North America," and abbreviated as OCCNA.

Section 2. The Church shall be incorporated (non-profit) as a national body for the following reasons:

1. National recognition
2. Credibility
3. Ease of obtaining discounts
4. Insurance protection
5. Recognition of the IRS and local tax authorities
6. Other benefits as may occur from time to time.
7. It is noted that the nonprofit incorporation of the church will in no way hinder or impede a bishop in the administration of his or her diocese.

Section 3. All missions/churches, under their respective diocese, shall incorporate within their name, the title "Old Catholic Mission" or "Old Catholic Church" i.e. Saint Willibrord, Old Catholic Mission.

Section 4. The National Church shall be divided into Dioceses separated as states.

Section 5. Diocesan names shall reflect the location of the Diocese (i.e. Diocese of Texas, Diocese of Florida.)

TITLE II **Formal Belief Statements of the OCCNA**

1. We believe that Jesus is the Christ and our personal savior.
2. We believe in The Holy Trinity.
3. We believe in the ancient creeds of the Church such as the Nicene Creed and Apostles Creed.
4. We believe in the inerrancy and divine inspiration of Holy Scriptures.
5. We believe in the seven sacraments of the Church: Baptism, Confirmation, Holy Eucharist, Anointing of the Sick (Extreme Unction), Reconciliation (Confession and Absolution), Marriage, and Holy Orders.
6. **We believe in the Real Presence of Jesus Christ in the Eucharist** as set forth by the Declaration of Utrecht and Canons of OCCNA.
7. We believe that all Holy Orders (bishops, priests, and deacons) are open to both men and women.

8. We believe that celibacy of those in Holy Orders is a personal decision.
9. We believe and hold apostolic succession.
10. We believe and accept the doctrines of the Seven Early Church Ecumenical Councils.
11. We believe and appreciate the wisdom and guidance of the Early Church Fathers.
12. We appreciate the wisdom and guidance of the founding Fathers of the Old Catholic Movement as expressed in historic documents of the Old Catholic Churches of Europe particularly the Declaration of Utrecht and The Fourteen Theses of the Old Catholic Church at Bonn.
13. We believe that the only proper expression of sexuality is between a man and a woman within the bond of Holy Matrimony, thus we do not ordain practicing homosexuals or perform same sex blessings.
14. We believe that abortion and euthanasia is the taking of human life.
15. We believe in the responsible stewardship of our planet.
16. We believe in the One Holy Catholic and Apostolic Church.
17. We believe in the sanctity of marriage, however we believe that Jesus is merciful and those who have been divorced and/or remarried are offered the sacraments of the church.
18. We believe that family planning is a personal decision between a husband and wife.
19. We believe and follow scripture in all matters.
20. We believe in the scriptural teaching of Jesus Christ.

TITLE III On the Sacraments

CANON I Rites and Rituals

Section 1. The matter and form of Sacraments will be identical in intent and form and taught and proclaimed by the clergy as expressed by the historic Old Catholic Church, Roman Catholic Church, the Episcopal, Anglican, Old Catholic and Eastern Orthodox Churches, specifically those of the Union of Utrecht and as further explained by the Canons of the OCCNA and the Declaration of Utrecht.

Section 2. All rites and rituals must be approved by the Ordinary of the Diocese.

A. Concerning Exorcism.

The practice of expelling evil spirits by means of prayer and set formulas derives its authority from the Lord himself who identified these acts as signs of his messiahship. Very early in the life of the church the development and exercise of such rites were reserved to the bishop, at whose discretion they might be delegated to selected presbyters and others deemed competent.

In accordance with this established tradition, those who find themselves in need of such a ministry should make the fact known to the bishop, through their parish priest, on order that the bishop may determine whether exorcism is needed, who is to perform the rite, and what prayers or other formularies are to be used.

Section 3. In the liturgy references to the Trinity are in the traditional Catholic format (Masculine reference such as He, and Father, Son, and Holy Spirit.)

Section 4. All readings used in worship shall follow either the Roman, Episcopal, or Revised Common Lectionary and shall include the readings from the Apocrypha.

CANON II Sacrament of Baptism

Section 1. Baptism administered by the observance of all the rites and ceremonies prescribed by the ritual of the Church is called SOLEMN; otherwise it is PRIVATE.

Section 2. The ordinary minister of Solemn Baptism is the priest. The deacon may administer solemn Baptism, with the permission of the bishop or the priest, which may be granted, when necessity urges.

Section 3. Private Baptism may be given by any one who uses the proper manner and form and has the right intention. At least one witness must be present.

Section 4. Private Baptism shall only be given to those who are very ill or in danger of death.

Section 5. An adult should not be baptized except with his consent after due instruction in the principal mysteries of the faith. His assent to these points of faith and his promise that he will keep the commandments of the Christian religion shall be deemed sufficient for adult baptism.

Section 6. Persons whose mental state, although they be an adult physically, is that of an infant are to be baptized in the same manner as a infant. Adults suffering from intermittent psychotic episodes, resulting in their losing touch with reality, as well as those who are unconscious should be baptized only when they are lucid and able to request it.

Section 7. Solemn Baptism shall be administered in churches, public oratories, or chapels. In private houses solemn Baptism cannot be given without the express permission of the ordinary.

Section 8. Ancient customs should be followed that no one is baptized unless he has, whenever possible, a sponsor.

Section 9. In Solemn Baptism the ritual of the Church shall be strictly followed.

Section 10. The parish priest or pastor solemnizing a Baptism should carefully and without delay enter into the records of the parish the names of the baptized, the minister, parents and sponsors: date and place of birth of the baptized, and any other data the former deems necessary.

CANON III Sacrament of Confirmation

Section 1. Only Bishops can administer the Sacrament of Confirmation, with imposition of hands, anointing of the forehead with holy chrism and the words prescribed in the ritual of the Church.

Section 2. The Bishop can confirm only in a church or chapel within his territorial jurisdiction. He may confirm upon request even those persons residing in other dioceses.

Section 3. It is absolutely prohibited for a bishop to confirm in any other diocese not his own, unless the previous consent of permission of the Ordinary of the place has been given, or by express order or instruction of the Presiding Bishop.

Section 4. He who is not baptized cannot validly be confirmed. A candidate for confirmation should have a sponsor to attend to him during the ceremonies.

CANON IV Sacrament of Eucharist (Holy Communion)

Section 1. Holy Communion is the partaking of the faithful in the reception of the Body and Blood of Jesus Christ sacramentally present in the bread and wine after their consecration by the priest during the celebration of the Holy Eucharist or Thanksgiving properly known as "The Holy Mass."

Section 2. In every celebration of the Holy Mass, the priest performs a solemn memorial of the Last Supper which Jesus held with His disciples when He instituted the Sacrament of the Holy Communion. The Sacrament is often referred to as "The Holy Sacrifice," a name which brings before us the sacrifice which Jesus made for us on the Cross.

Section 3. Only priests and bishops have the power to offer the sacrifice of Holy Mass; according to the rite prescribed, and in the vernacular. In the celebration of Holy Mass, the priest should wear the sacred vestments prescribed by the rubric of the rite of the Church.

Section 4. It is advisable to observe the natural fasts from midnight if the priest will celebrate Holy Eucharist the following day. He should have a server to help and to lead the faithful in answering him during the entire ceremony.

Section 5. Holy Mass must be celebrated on a consecrated altar, and in a church or chapel consecrated or blessed according to Church law. In special circumstances the Holy Eucharist may be celebrated hospitals, nursing homes, jail/prisons, and in homes of devotees, during celebrations of anniversaries such as birth, wedding and death, or any other occasion within the express approval of the Ordinary.

Section 6. It is prohibited for a priest to charge fees for special services in excess of the amounts fixed by the House of Bishops. If there is no law fixing the fees the customs of the diocese should be followed.

CANON V Sacrament of Reconciliation

Section 1. Only a priest or bishop is allowed to administer the Sacrament of Reconciliation, sometimes referred to as the Sacrament of Confession and Absolution.

Section 2. The confessor shall administer this Sacrament in the form prescribed by the Church.

Section 3. The confessor is prohibited from revealing to anyone, even the civil authorities, the facts or matter confessed by a penitent. An interpreter, if one is being used, and all others to whom knowledge acquired from a confession shall come in any way are also absolutely obliged to maintain confidentiality. The confessor must in no way make external use of any knowledge gained in confession. The content of a confession is not normally a matter of subsequent discussion with the penitent, unless initiated by the same. A confessor if in authority must in no way use information acquired in confession for external governance. The obligation of confidentiality rises above the demands of the civil legal system. Violation of this sacred trust should be punished summarily with suspension or dismissal.

Section 4. In the administration of this sacrament the priest or confessor should neither demand nor receive any compensation.

Section 5. Whenever a call is made for confession of the sick, under no circumstances is the priest allowed to deny the request without strong reason.

CANON VI Sacrament of Anointing of the Sick (Holy Unction)

Section 1. The Sacrament of Anointing of the Sick (Unction) can be validly administered only by a priest or bishop.

Section 2. In case of urgent necessity, even outside of his parish, a priest is obliged to administer the Sacrament to a sick person.

Section 3. Sick persons who, when conscious ask for Anointing (Unction), may be given the Sacrament despite the fact at the time of administration they may be in a state of unconsciousness.

Section 4. Although the Sacrament of Anointing of the Sick is not a Sacrament absolutely necessary for salvation, care should be taken that the sick receive it while they are yet fully conscious.

Section 5. The anointing is to be performed with the words and in the order and manner prescribed in the ritual.

CANON VII Sacrament of Holy Orders

Section 1. All Candidates for Ordination must in due time manifest their intention to receive Holy Orders to the Bishop and submit the documents required by the House of Bishops:

- a. Certificate of Ordination as Deacons.
- b. Official Transcript from an approved Seminary, indicating the successful completion of academic work, and the granting of the appropriate certificate, diploma, or degree necessary for Ordination to the Priesthood.
- c. Certificate from the Rector of the Seminary indicating good moral standing.
- d. Certificate indicating that the candidate for the priesthood has taken appropriate tests and is declared psychologically fit to serve in the priesthood.
- e. No one is truly worthy of this grace, but since all are children of God, all are welcome. If someone is in a constant state of sin they will not be ordained or removed from their position.

Section 2. Upon receipt of the Application for Ordination and certificates listed above, the Bishop will forward them to the Presiding Bishop together with his resolution. If the Presiding Bishop finds no objection to the Ordination, then the papers shall be returned to the Bishop who in turn will notify the candidates and set the day for their Ordination.

Section 3. In conferring Holy Orders the Bishop must faithfully follow the ceremonials laid down in the ritual of the Church.

Section 4. The Mass of the Ordination must always be said by the ordaining Bishop.

Section 5. A Bishop cannot give these Orders outside of his Diocese without the permission of the local Ordinary.

Section 6. The Presiding Bishop has the prerogative to Charter and maintain Theological Seminaries within any diocese he deems appropriate.

Care being given to determine that the charters express explicitly the aim of training clergy in accordance with the sacred beliefs held by The Old Catholic Church of North America. Bishops are only to ordain priests who are graduates of a Seminary, either chartered or approved by the Presiding Bishop. If the seminary of graduation is not on the official list of Chartered or approved Seminaries then the candidate will be required to take additional courses of study in the church's history, beliefs, polity, etc., from one of its seminaries before consideration will be granted. Before approving the priest to receive Holy Orders the bishop is to have secured an official transcript from the seminary indicating that the candidate for priesthood has met the academic requirements for, and received, the appropriate ministerial certificate, diploma, or degree. All currently ordained clergy are recognized as legitimately ordained even if they lack the appropriate certification from a recognized seminary; however, all clergy ordained in the future must obtain the appropriate certification prior to consideration of receiving Holy Orders.

Clergy currently serving but lacking academic certification are strongly urged to secure the appropriate certification from an approved seminary, within three years of this declaration.

CANON VIII Sacrament of Marriage.

Section 1. Because the Lord Jesus Christ honored marriage with His presence and blessing at the beginning of His public ministry at Cana, and with Saint Paul's words that it serves as a living symbol of the joining of the Church to Christ, the relationship has been and continues to be very highly esteemed in the church. Therefore the OCCNA believes as proclaimed and interpreted by the Sacred Tradition of the Holy Catholic Church that Christ the Lord Himself raised the matrimonial contract to the dignity of a Sacrament by which not only is spiritual grace conferred upon the couple but also that as a Mystery the Holy Spirit works so that the two become one and as such, the sacrament of marriage, must be both solemnized by either a validly ordained Bishop or Priest of the Church and that for proper intent to exist both the bride and groom must be validly baptized believers.

Section 2. Before the marriage is performed the Priest must be certain that, both the bride and groom have been validly baptized, there are no obstacles, moral or legal, to valid and licit celebration. The Priest must strictly follow the laws and regulations promulgated by civil authorities concerning marriage contracts.

Section 3. If the Priest receives before solemnizing a marriage, reliable information that any impediment exists on the part of either of the parties, especially if it refers to a former marriage of one of the parties not legally dissolved, he must suspend the ceremony until all doubts are removed through investigation.

Section 4. Marriage shall be contracted in the manner prescribed by the ritual of the Church.

Section 5. No priest is permitted to solemnize a marriage or perform the Church's ceremonies of marriage unless he is duly authorized by the government in accordance with the provisions of the Marriage Law.

Section 6. Out of respect for the Lord, marriages shall not be conducted during the Lenten Season unless permission is granted by the Diocesan Ordinary. Only under certain circumstances, approved by the diocesan ordinary, shall they be conducted on Sunday. A deacon may not officiate at a marriage unless permission has been granted by their diocesan ordinary. And weddings performed without the Sacrament of Eucharist must also be approved by the diocesan ordinary.

TITLE IV On Ministries and Organizations

CANON/ Of Parishes and Missions

A Parish is defined as a self-supporting community of faithful with at least 25 adult members. A member is a confirmed adult at least 16 years of age who is both regular in attendance, active in parish ministries, and in the financial support of the community. A Mission is a community of faithful with less than 25 adult members. In a mission the Commission members are appointed by the Priest and confirmed by the Ordinary.

Section 1. In every parish there shall be a commission of laymen consisting of a President, a Vice-president, a Secretary/Treasurer, and at least three members whose terms of office shall be one year. Election of the officers shall be held during the month of December to enable the newly elected officers to take their Oath of Office from January 1st. The President of the Commission of Laymen serves as a special advisor to the Parish priest in temporal church matters.

Section 2. In both a Parish and a Mission the Commission reports directly to the Priest.

Section 3. The purpose of this commission of laymen is to help the Church in the construction, repair, and improvement of churches and chapels in their respective towns; to help the priest in acquiring a place suitable for a cemetery for the faithful of the parish; to undertake works of piety and charity.

Section 4. The Commission must have its own statutes which should be submitted to the House of Bishops for its approval.

Section 5. In each parish, the priest shall organize a commission of Altar Guild, consisting of members of the Church in his locality for the purpose of helping him in the preparation of the church for services, especially on the following occasions: Holy Week, Christmas, and other important high holy days and festivities which the faithful celebrate in accordance with their traditions.

Section 6. It is advisable for the faithful members of the Church to organize pious associations within the parish to interest the youth in matters of religion, and for the purpose of increasing their understanding of Christian doctrine. These associations are under the authority of the Priest and as such should report as requested by the Priest regarding functions and actions. The Priest and Parish Commission must work together to make take every precaution to insure the safety and well being of those in these association especially any minors.

Section 7. The Parochial Income. Those funds derived from the services of the Parish Priest, such as marriage, baptismal and funeral fees, and those deposited by the faithful in alms boxes, shall be known as the Parochial Income for the support of the Parish Priest and the parochial personnel.

(a) From the said Parochial Income, a Parochial Fund shall be created for the repairs, conservation and upkeep of the parish church and of additional chapels of the parish. The parochial fund must be ten percent of the parochial income and shall be under the custody of the Parish Priest and supervision of the Ordinary. The Parochial Fund shall be created only in the parishes determined by the regular Diocesan Assembly of the clergy presided by the Ordinary.

(b) Funds of the parish organizations, shall be held by the corresponding organization under the fiscal supervision of the Parish Priest. These funds shall be used exclusively for the needs of the parish church or one of its chapels within the parish.

(c) All funding to the parish shall be recorded in a bookkeeping system as approved by the ordinary and shall be subject to inspection and/or audit by the bishop or their representative at any time.

Section 8. It is highly recommended that 10% of the parochial income will be tithed to the diocese. The diocese will tithe 10% of that tithe to the national church.

CANON II Of a Religious Order

A religious order is defined as an organization of people who live to achieve a common purpose through a form of promised or vowed life to God. It is comprised of individuals, who may be either laity or clergy, who voluntarily commit themselves for life, or a term of years, in obedience to their Rule and Constitution.

Section 1. Religious Orders may be established only with the express approval of the House of Bishops. At the present time, no Religious Orders have been approved.

Section 2. If Religious Orders are approved and established then each Religious Order will have a "Rule of the Order", which will define the purpose and mission of the Order, and a "Constitution of the Order" which will define the administration of the Order. Both the Rule and the Constitution of each Order must be approved by the House of Bishops.

Section 3. Each Religious Order will be governed by an abbot, who will be a member in good standing of the clergy of the OCCNA.

TITLE V Concerning the Clergy

Section 1. Definitions and Titles: The following titles, their usage and descriptions as defined by the House of Bishops have been adopted.

1. Presiding Bishop - This title is reserved for the bishop elected by the House of Bishops to serve as the visible head of the church and as chief operational officer on day-to-day church business.
2. Archbishop - Reserved for the Presiding Bishop of the Church, and any other bishop that has supervision over several (three or more diocesan operations, with bishops in place in those dioceses).
3. Bishop - A title reserved for those vested with Episcopal dignity - authorized to exercise control over a diocese or order, or who are a Bishop Emeritus of the Church.
4. Bishops in charge of a diocese are referred to as being an Ordinary of a Diocesan Jurisdiction, and as such exercise control within their jurisdiction. Others not in charge of a diocese as Ordinary may be designated as an Auxiliary Bishop.
5. Abbot - An abbot is a priest or bishop authorized to exercise supervision of a religious order.
6. Dean - Originally the title was given to a minor official who served in some supervisory position over ten people. Today, he is the chief clergyman of a cathedral, the chief academic officer of a college or seminary, or the head of a deanery. A deanery is an organizational unit between a parish and a diocese. Not all diocese are divide into deaneries, and in some diocese, deaneries are known as regions. If the dean is ordained, the title "The Very Reverend [full name]" is appropriate; if the dean is a lay person, this title is not used.
7. Canon - The title of a priest who either serves on the staff of a cathedral, or who has exhibited exemplary service to a diocese. Their official title is "The Very Reverend Canon..."
8. Monsignor - A rank within the OCCNA that is bestowed upon the most competent and trustworthy priests in a diocese, granted by the Ordinary of said diocese. The following guidelines will be used when naming a Monsignor: For every 10 clergy a bishop would be allowed one Monsignor.
9. Archpriest - If the office of Bishop be vacant, the Ecclesiastical Authority of the Diocese for all purposes in the administration of the affairs of the Diocese under the Canons is vested in the Archpriest of the Diocese
10. Priest - Presbyter, ordained administrator of the Sacraments for the local Church, under the guidance of a bishop. Their title is "Reverend Father or Reverend Mother."

11. Archdeacon - If the office of Bishop be vacant, the Ecclesiastical Authority of the Diocese for all purposes in the administration of the affairs of the Diocese under the Canons is vested in the Archpriest of the Diocese, or in the absence of an Archpriest, in the Archdeacon of the Diocese. Until such time as a Bishop is appointed, the Ecclesiastical Authority shall be responsible and accountable to the House of Bishops in regards to all affairs of the Diocese, spiritual and temporal.
12. Deacon - Ordained assistant to the bishop or the presbyter, their title is "Reverend Deacon." The Transitional Deacon is in study for the priesthood whereas Permanent Deacon will remain a deacon for the duration of their ministry, which is to be the liaison between the people of God and their presbyter.
13. Seminarians - Those students who have been accepted for orders by a bishop of the OCCNA and are currently in a course of studies leading to ordination. Their official title is "Brother or Sister..." till ordination to the diaconate.

CANON I Bishops

Section 1. A Bishop is invested with the authority of a chief Apostle in the government of a diocese. He is elected by the House of Bishops, and he is under the supervision of the Presiding Bishop.

Section 2. The following are requisites of a candidate for the episcopate.

- (a) He must be at least thirty three years of age.
- (b) He must be ordained a priest and must be in active service for the priesthood for five years continuously.
- (c) He must be of good character, pious, zealous for souls, prudent and capable to govern the diocese.

Section 3. The priests of each diocese shall submit to the House of Bishops the name or names, not more than two, of ministers worthy to be elevated to the episcopate, whenever a vacancy exists.

Section 4. When a diocese is vacant or a new one created, the House of Bishops shall elect a prelate from the list of candidates already on file, and the one obtaining the majority of the votes of the members of the Council shall be submitted to the Presiding Bishop.

Section 5. If the Presiding Bishop approves the election, the elected prelate shall be proclaimed. But if the Presiding Bishop refuses to confirm the election, he shall inform the House of Bishops of his reasons for disapproval.

Section 6. In the consecration of a bishop the ceremonies prescribed in the official ritual of the Church shall be strictly followed.

Section 7. The bishop is obliged to reside in his diocese whether or not he has a coadjutor bishop. He may not be absent from his diocese for more than three months in a year, either continuous or interrupted, with out the consent of the Presiding Bishop.

Section 8. The bishop has the right and duty to govern the diocese in spiritual affairs as well as in temporal, in accordance with the Canons of the Church, and he must urge the observance of the laws of the Church, he being the first to abide.

Section 9. The bishop can exercise the pontifical functions in any place within his diocese. Outside of his diocese he cannot exercise pontifical functions without the consent of the Ordinary of the place or without order of the Presiding Bishop.

Section 10. The Bishop should visit the entire diocese at least annually, and he should send a formally written report of his visitations to the Presiding Bishop.

Section 11. The House of Bishops may give to a Diocesan Bishop a Coadjutor with the right to succession, or an Auxiliary Bishop without the right to succession.

Section 12. The Bishop Coadjutor and the Auxiliary Bishop have the duty to perform the pontifical and other functions of a bishop if they are so requested by the Ordinary.

Section 13. The Diocesan Bishop may appoint a Vicar General for his diocese with administrative jurisdiction over the entire diocese. He may remove the Vicar General at will.

Section 14. The Vicar General must be a priest of the diocese, at least thirty years of age, prudent and experienced. Their title is The Very Rev. A. B. (or, if he is such, Provost . . . , or Canon . . .), V. G.; or The Very Reverend the Vicar-General.

Section 15. The Vicar General should avoid assuming the duties and exercising the powers of the bishop, especially in matters of importance, whenever the bishop is available and can attend to them himself, unless he is expressly authorized by the bishop.

Section 16. The Vicar General should report to the bishop the principal acts of the diocese, inform him of what has been, or what is to be done, and to safeguard the discipline among the clergy and the people.

Section 17. The bishop may call a Diocesan Synod to consider questions of importance, and interest to the clergy and people of the diocese.

CANON II Priests

Section 1. The Bishop has the exclusive power to appoint priests for the parishes within his Diocese. He is bound in conscience to appoint without favoritism the priest whom he judges best qualified. The welfare of the parishioners must be the paramount consideration in the appointment of priests. No priest shall be incardinated to a diocese without first securing his excardination from his Ordinary with the approval of the Presiding bishop.

Section 2. Only one priest shall be appointed for a parish unless the size and extent of the missionary work demands the need for the assignment of an Assistant to the pastor.

Section 3. The pastor or priest assumes the care of souls from the moment of taking possession. The manner of his installation should be regulated by law or by custom. In the act of taking possession, the priest must make the profession of faith.

Section 4. The priest should say the Holy Eucharist for the people in his parish unless circumstances demand otherwise.

Section 5. It is advisable for the priest to say Holy Eucharist in his parish every day. It is customary that only one Mass be said on Ordinary days.

Section 6. On Sundays and holidays of obligation, the priest is obligated to say Holy Eucharist in his parish. He may say three masses on special occasions such as Christmas and All Saints Day.

Section 7. Other functions reserved to the priest are:

- (a) To baptize solemnly.
- (b) To administer Holy Viaticum and to give anointing (Holy Unction).
- (c) To solemnize marriage, if authorized by the Civil Government.
- (d) To perform funeral services.
- (e) To bless houses, buildings, and objects, according to the ritual and local custom,
- (f) To have public processions outside of the Church.

Section 8. The priest is obliged to live within the parish. For just reason, the bishop may permit a priest to live outside his parish provided his attendance to duties does not suffer.

Section 9. If on account of some very urgent reason, the priest is obliged to leave his parish in which there is no assistant he must inform his bishop of the priest whom he left in charge, if any, or he must request that someone be assigned to his parish during his absence.

Section 10. The priest must take special care of the sick through prayer and in the administration of Holy Unction. He should be watchful that nothing be done against the faith and morals, and he must advance and co-operate in the works of charity, faith and piety in the parish.

Section 11. The priest must keep the parochial records of Baptism, Confirmation, Marriages, and the deceased. Copies of these registries are to be forwarded to the diocesan bishop along with a quarterly report on the progress of his parish/mission. The priest shall take care of the books according to the regulations of the Church and civil authorities. All parish bookkeeping is to be available for review by the bishop or his representatives.

CANON III Deacons

Section 1. Deacons are ordained by the bishop. Duties are those of an assistant to the parish priest. He is not permitted to celebrate the Holy Eucharist or to pronounce Absolution: but he can perform the Ante-Communion provided that the Bread and Wine have been previously consecrated by a priest or bishop. The Deacon is also to omit the Prayer of Consecration in the Order of Holy Eucharist.

Section 2. Every deacon must belong to a diocese. By his ordination he is ascribed to, or incardinated to the diocese for the service of which he was promoted.

Section 3. Excardinations cannot take place without good reason, and it does not effect unless incardination to another diocese has followed.

Section 4. Deacons are obliged to wear clerical garb in accordance with the custom of the place and with the order of the bishop.

Section 5. Deacons must abstain from those things that are unbecoming to their sacred office.

CANON IV Rules of Clerical Standing (Membership)

Section 1. Clerical Membership is open to all ordained clergy (Deacons or Priests) in good standing with the OCCNA.

Section 2. Every Priest and Deacon must serve under a Bishop, and Bishops serve as part of the House of Bishops.

Section 3. An individual must undergo a thorough examination before ordination. Such an examination must include academic, personal, and employment background evaluation, letters of reference, police report, and where there may be some concern a medical and/or psychological examination.

Section 4. There is no mandatory retirement age for clergy.

Section 5. The appropriate/modest dress for clergy (Deacon and Priests) is any solid color other than purple shirt/blouse with collar (tab or full) and solid colored pants/skirt. For bishops, the appropriate/modest dress is any solid color and purple/maroon shirt/blouse with collar (tab or full), solid colored pants/skirt, and a pectoral cross/crucifix (as a distinction of their office). The abbot of a religious order may wear a pectoral cross while performing sacramental functions. It is also required that a priest of the OCCNA, visibly wear a pectoral Chi Rho as to set them apart from other catholic (Roman, Anglican, etc) clergy. Deacons may wear a small Chi Rho.

Section 6. Those clergy who are a member of a religious order may opt to wear the habit prescribed by their order. No other habit shall be worn at any time.

Section 7. It is highly recommended that clergy tithe 10% of their income to the local parish or mission to which they are assigned. For clergy who are not assigned to a specific parish or mission, it is recommended that they tithe to the diocese in which they serve.

CANON V Regulations Appertaining to the Episcopate

Section 1. Before an OCCNA priest is elevated to the Office of Bishop all active Bishops of the Church must give consent. Where a Bishop of another denomination seeks incardination, as a Bishop the same level of consent is required.

Section 2. An individual must have been in OCCNA orders for at least five years before being elevated to the office of Bishop. Any exception to the five-year rule must receive approval of the House of Bishops.

Section 3. All Bishops are members of the House of Bishops.

Section 4. An OCCNA Bishop may not hold any office in another Denomination.

Section 5. Bishops shall not pass Episcopal orders to those outside the OCCNA and where such is desired consultation with the House of Bishops is required.

[Commentary: - This was the consensus of the Bishops that we take great caution in the consecration of those outside our church, especially those with whom we are not in intercommunion or whose moral and theological positions are different than the OCCNA. Such action casts disrespect on our Apostolic Succession and is considered a serious misuse of the Office of Bishop.]

CANON VI Discipline and Dismissal of Clergy

Section 1. Each Diocesan Bishop is autonomous within the Diocese with regard to ordination, discipline and dismissal of Deacons and Priests.

Disciplinary Definitions

- A. Administrative Leave of Absence: A deacon/priest that has been relieved of all responsibility by the Ordinary or his/her representative for any ecclesiastical office or function, as well as participating in active ministry. He/she may not function or represent himself/herself as a deacon/priest while this status is in effect. This is usually a voluntary temporary withdrawal from ministry without seeking laicization. Faculties are revoked or cease pending resolution of the reason(s) for the leave of absence. The Synodal Notary will notify the deacon/priest of this status.
- B. Laicized: A deacon/priest who either voluntarily or involuntarily is returned to the lay state at the request of the Bishop. The Synodal Notary will notify the deacon/priest of this status.
- C. Suspended: A deacon/priest whose faculties have been suspended by the Bishop or his/her representative may not function in any parish, agency, or situation of the Diocese. The Synodal Notary will issue a letter notifying the deacon/priest of the suspension of faculties.
- D. Temporary Leave of Absence: A deacon/priest who at his/her own request has been granted authorization by the Bishop to withdraw from active ministry for a fixed period of time. Faculties cease during this time. The Synodal Notary will notify the deacon/priest of this status.

Section 2. There is no appeal beyond the Diocesan Ordinary for a priest or deacon.

Section 3. Where matters concerning Auxiliary Bishops is concerned the matter may be appealed to the House of Bishops.

Section 4. When the Diocesan Bishop considers laicization of the individual necessary the case shall be referred to the Presiding Bishop for action.

Section 5. When a cleric is under charge, a bishop of another diocese shall not give spiritual protection.

Section 6. Stages in Clerical Discipline:

Stage 1 - A discussion between the Bishop (and his appointee) outlining areas of concern with some counsel as to how to proceed. There is no written record at this stage.

Stage 2 - A letter of concern with suggestions as to how to handle the difficulties. A copy of the letter is to be kept in the Cleric's file, which is sealed to all but the Bishop or Bishops of a Diocese.

Stage 3 - A letter of warning, with specific directions as to how to proceed or modify behavior or deal with a situation. A time limit is stated and the cleric asked to comply.

Stage 4 - A letter of suspension with specific direction as to actions necessary to be taken before the suspension may be lifted. A time limit is started and the cleric directed to comply. Suspension means the individual may not function as a cleric of the OCCNA nor perform duties of office except in an emergency.

Stage 5 - A letter of dismissal and formal excommunication. This severs the cleric from the church and removes spiritual protection and Episcopal oversight. There is no appeal to this decision. The individual is no longer a deacon or priest with the OCCNA.

TITLE VI On Sacred Places

CANON I Churches

Section 1. Sacred places are those which are blessed or consecrated either for divine worship or for the burial of the faithful, according to the rites prescribed by the Church's liturgy.

Section 2. By the term church is meant a sacred building dedicated to the divine worship, principally for the purpose of serving all the faithful in the exercise of public worship.

Section 3. No church shall be erected without the explicit permission of the Bishop in writing.

Section 4. If a church is to be erected by donation or voluntary contributions of the faithful, steps should be taken by the Bishop to have the donors or contributors sign a deed acknowledging that the church once built, will be the absolute property of or under the ownership of the Church to be dedicated to divine worship.

Section 5. The blessing and laying of the corner stone of a church belongs to the Presiding Bishop who may delegate this privilege to the bishop of the place.

Section 6. Before divine worship is held in a new church, it must be solemnly blessed by the Presiding Bishop or the Diocesan Bishop.

Section 7. All persons concerned must see to it that such cleanliness is observed in a church as is becoming to the house of God. Business transactions, fairs, sales and in general everything that is not in accordance with the sanctity of the place, shall be kept away from the church.

Section 8. The admission to the sacred functions in the church must be absolutely gratuitous, all contrary customs or regulations are disapproved.

Section 9. The Priest is the ex-officio caretaker of the church of his parish and directly responsible to the Ordinary for the upkeep thereof and for the loss of ornaments, records and furniture pertaining to the church of the parish.

Section 10. The construction, repairing, and improvement of the parish church must come from the following resources:

- i. the revenue of the church itself,
- ii. patrons,
- iii. the local committees of parishioners organized for the purpose of helping the church under the provisions of the Canons or by-laws of said organization duly approved by the House of Bishops.

Section 11. No voluntary contribution for this purpose will be asked from the public by the priest without the permission of the Presiding Bishop or the Ordinary, and with the permission of the civil authorities concerned as provided by law.

Section 12. The main altar of the church shall be immovable. All others are movable. Before using the altars, they should be blessed in accordance with the ritual of the Church.

Section 13. Donation of altars or any portion thereof should be accepted only on condition that they shall perpetually belong to the Church. This rule applies also, to all ornaments, and sacramentals used in the church for divine worship, donated by parishioners.

Section 14. As sacred things, church, ornaments, images and sacramentals belong to the parish or the church, and are not subject to sale, mortgage, transfer, or barter.

TITLE VII Church Authority, Structure

CANON I Authority of Members of the House of Bishops

Section 1. All decision-making authority within the Church rests with the House of Bishops, which will consist of all duly consecrated bishops.

Section 2. Major decisions in matters of faith, morals, church discipline, and church operations will be made only at the annual Synod by the House of Bishops. In case of necessity, the Presiding Bishop may convene a special session of the House of Bishops in which such matters may be addressed.

Section 3. Every duly consecrated bishop will have equal rights and responsibilities within the House of Bishops and the Church itself.

Section 4. The Presiding Bishop shall be elected by the House of Bishops meeting at annual Synod and serve for a five-year term. A presiding Bishop may be reelected by unanimous consent by the House of Bishops.

Section 5. The Coadjutor is assigned by the Presiding Bishop, and will act in place of the Presiding Bishop in the event of the Presiding Bishop's illness or absence. The Coadjutor will serve till the Presiding Bishop returns to full episcopacy. In the event of the Presiding Bishop's death or permanent incapacity, without an appointed Coadjutor, the House of Bishops shall elect a new Presiding Bishop to serve for the remainder of the term.

Section 6. The abbot of a religious order will serve as an advisor to the House of Bishops with matters regarding the Order. If the abbot is not a bishop, the abbot will have a voice, but not a vote, on matters pertaining to the Religious Order.

CANON II Executive Committee

Section 1. The Presiding Bishop may appoint, with the approval of the House of Bishops an Executive Committee to handle the affairs of the Church during times when the House is adjourned.

Section 2. The Executive Committee shall consist of clergy in good standing within the OCCNA.

Section 3. The members of the committee shall serve at the pleasure of the House of Bishops.

Section 4. A Synodal Notary will be appointed to take care of all documents pertaining to the Body of the Church. This entails baptismal records for each church, clergy records, monthly reports and such.

CANON III Standing Committees

Section 1. Committees may be appointed to assist the Presiding Bishop in the affairs of the National Church. The Presiding Bishop, with the approval and consent of the House, shall appoint the members of these committees.

Section 2. Any Bishop not appointed to a committee can still be a member ex-officio of any committee, with the exception of the Ecclesiastical Tribunal, which shall have no additional members.

Section 3. The House of Bishops has established the following Standing Committees:

1. Canon Law, Policy & Procedures - This committee shall disseminate, organize and recommend additions, deletions and modifications to the Code of Canon Law of the Church. This committee shall consist of members of the Episcopate.
2. Vocational Formation Committee - This committee shall be responsible for establishing programs for the recruitment, retention and training of clergy for the church. This committee shall consist of at least three members of the clergy, with a bishop as chairperson.

CANON IV Quorum and Voting Procedures at the House of Bishops

Section 1. Those present at the House of Bishops meeting at annual Synod shall constitute a quorum.

Section 2. Bishops unable to attend the Synod will be offered an opportunity to vote Yes or No and present position papers on motions on the House of Bishops agenda, however those present are considered competent to change resolution formations and to conduct a blinding vote on published motions and new items.

Section 3. Since the "authority" of the church rests with the House of Bishops and not with any individual bishop, no individual bishop may act or declare or legislate or speak for the Church on matters not clearly defined by the House of Bishops. Any person may give his/her own opinion, but it should be clearly stated as such and must not be contrary to matters clearly defined by the House of Bishops.

Section 4. Decision making within the House of Bishops is by the unanimous vote of the Bishops present with the exception that motions that have been circulated to Bishops prior to Synod and which have not been substantially modified by the bishops present at Synod must have the agreement of those absent but voting bishops.

Section 5. If the question does not have the unanimous agreement of all bishops as stated above, the motion fails. Thus, in effect, each bishop present or presented an absentee ballot has the right of veto to any pre-published Synod motion with the exception of disciplinary action concerning him/herself.

Section 6. Both Christian charity and respect for fellow bishops will cause, wherever possible, that motions for the House of Bishops meeting during the annual Synod will be formulated through discussion among the bishops and presented to all active OCCNA bishops so that those unable to attend the Synod will have the opportunity to present absentee votes. However, the House of Bishops meeting in Synod has the right to change motions prior to voting even to the point of making the content of the absentee ballot meaningless.

CANON V Diocesan Designations.

Section 1. Bishops may hold diocesan geographic and/or jurisdictional designations.

Section 2. The National Church shall be divided into Dioceses. East of the Mississippi River is the Diocese of St. Michael the Archangel and west of the river is the Diocese of St. Gabriel the Archangel.

Section 3. Diocesan names shall reflect the location of the Diocese (i.e. Diocese of Texas, Diocese of Florida.)

CANON VI Official Church Seminary

Section 1. In the absence of seminary, or seminaries, approved by the House of Bishops the Ordinary of a Diocese will determine the seminary best suited for the postulant. Saint Michael's Seminary formerly known as Saint Michael's College Inc, Tampa, FL is our official seminary. Saint Michael's Seminary is a school of ministry and theology established primarily for the training of priests and deacons for service in the Old Catholic Church of North America (OCCNA). The Seminary is chartered under the laws of the state of Florida as a nonprofit corporation and operates in accordance with Chapter 1005, Section 1005.06 Florida Statutes, Commission for Independent Education. It is not accredited and only offers religious/theological degrees upon completion of studies. The Seminary does award Doctor Divinity (D.D.) honoris causa to clergy of the OCCNA in recognition of distinguished service. Administrators and faculty of the College are authorized by a mandate from the Presiding Bishop of the Old Catholic Church of North America.

CANON VII Use of Membership List

Section 1. The use of the OCCNA membership list is restricted to the use of OCCNA Clergy.

Section 2. The use of the clerical membership list for fund raising purposes is prohibited unless approved by the House of Bishops.

CANON VIII Amendments to Articles of Canon Law.

Section 1. Any amendment to these Church Canon Laws shall require a unanimous vote at the meeting of the House of Bishops at annual Synod or teleconference with the House of Bishops.

TITLE VIII Amendments 2011

Canon I

CANONS - DIOCESE OF TEXAS

Section 1.1 Accedes to National Canons

The Church in the Diocese shall, and does hereby accede to the Canons of the Old Catholic Church of North America, and acknowledges its authority. The specific Canons of this Diocese shall apply to this Diocese only, and shall not be in conflict with the Canons of the Old Catholic Church of North America.

Section 1.2 Authority in Diocese

The authority of the Church in this Diocese is vested in the Bishop of the Diocese.

Section 1.3 Authority in Absence of Bishop

If the office of Bishop be vacant, the Ecclesiastical Authority of the Diocese for all purposes in the administration of the affairs of the Diocese under the Canons is vested in the Archpriest of the Diocese, or in the absence of an Archpriest, in the Archdeacon of the Diocese. Until such time as a Bishop is appointed, the Ecclesiastical Authority shall be responsible and accountable directly to the Presiding Bishop and also to the House of Bishops in regards to all affairs of the Diocese, spiritual and temporal.

Section 1.4 Creation of Additional Ecclesiastical Positions

The office of Archpriest and/or Archdeacon may be created and/or dissolved at the discretion of the Bishop of the Diocese as he/she deems necessary. The Bishop of the Diocese shall notify the House of Bishops of the intent to create the position of Archpriest and/or Archdeacon, and submit the name of the person(s) appointed to the House for consent. Consent requires a simple majority of the House.

Section 1.5 Accountability

The office of the Archpriest or the Office of Archdeacon is fully accountable to the Diocese of Florida until such time that a Bishop of the specific Diocese is appointed.

Canon II

CANONS - DIOCESE OF MASSACHUSETTS

Section 1.1 *Accedes to National Canons*

The Church in the Diocese shall, and does hereby accede to the Canons of the Old Catholic Church of North America, and acknowledges its authority. The specific Canons of this Diocese shall apply to this Diocese only, and shall not be in conflict with the Canons of the Old Catholic Church of North America.

Section 1.2 *Authority in Diocese*

The authority of the Church in this Diocese is vested in the Bishop of the Diocese.

Section 1.3 *Authority in Absence of Bishop*

If the office of Bishop be vacant, the Ecclesiastical Authority of the Diocese for all purposes in the administration of the affairs of the Diocese under the Canons is vested in the Archpriest of the Diocese, or in the absence of an Archpriest, in the Archdeacon of the Diocese. Until such time as a Bishop is appointed, the Ecclesiastical Authority shall be responsible and accountable directly to the Presiding Bishop and also to the House of Bishops in regards to all affairs of the Diocese, spiritual and temporal.

Section 1.4 *Creation of Additional Ecclesiastical Positions*

The office of Archpriest and/or Archdeacon may be created and/or dissolved at the discretion of the Bishop of the Diocese as he/she deems necessary. The Bishop of the Diocese shall notify the House of Bishops of the intent to create the position of Archpriest and/or Archdeacon, and submit the name of the person(s) appointed to the House for consent. Consent requires a simple majority of the House.

Section 1.5 *Accountability*

The office of the Archpriest or the Office of Archdeacon is fully accountable to the Diocese of Florida until such time that a Bishop of the specific Diocese is appointed.

Canon III

CANONS - DIOCESE OF MONTANA

Section 1.1 *Accedes to National Canons*

The Church in the Diocese shall, and does hereby accede to the Canons of the Old Catholic Church of North America, and acknowledges its authority. The specific Canons of this Diocese shall apply to this Diocese only, and shall not be in conflict with the Canons of the Old Catholic Church of North America.

Section 1.2 *Authority in Diocese*

The authority of the Church in this Diocese is vested in the Bishop of the Diocese.

Section 1.3 *Authority in Absence of Bishop*

If the office of Bishop be vacant, the Ecclesiastical Authority of the Diocese for all purposes in the administration of the affairs of the Diocese under the Canons is vested in the Archpriest of the Diocese, or in the absence of an Archpriest, in the Archdeacon of the Diocese. Until such time as a Bishop is appointed, the Ecclesiastical Authority shall be responsible and accountable directly to the Presiding Bishop and also to the House of Bishops in regards to all affairs of the Diocese, spiritual and temporal.

Section 1.4 *Creation of Additional Ecclesiastical Positions*

The office of Archpriest and/or Archdeacon may be created and/or dissolved at the discretion of the Bishop of the Diocese as he/she deems necessary. The Bishop of the Diocese shall notify the House of Bishops of the intent to create the position of Archpriest and/or Archdeacon, and submit the name of the person(s) appointed to the House for consent. Consent requires a simple majority of the House.

Section 1.5 *Accountability*

The office of the Archpriest or the Office of Archdeacon is fully accountable to the Diocese of Florida until such time that a Bishop of the specific Diocese is appointed.

TITLE IX Relations with other communities. Inter-Communion Agreements.

At the present time (June 10, 2010) the OCCNA is in formal inter-communion with the following:

The Autocephalous Old Catholic Churches of the Old Catholic Communion of North America.
(The Old Catholic Diocese of the Holy Spirit and the Ecumenical Catholic Church + USA.)

Communications

The Old Catholic Church of North America is presently in the early stages of a dialogue with Arch Bishop Mark Leavell, Presiding Bishop of the United Free Catholic Church. At this point, we are working towards the development of an Inter-Communion Concordat that would recognize the Catholicity of each jurisdiction, and provide for formal cooperation and inter-changeability of Clergy.

Both the UFCC and the OCCNA share a common heritage, theology, philosophy, and vision of ministry and we welcome continued dialogue, trusting God to lead us by His Spirit as our friendship with the UFCC grows.