

STATUTES OF THE AUSTRALIAN CATHOLIC BISHOPS CONFERENCE

Art. 1 The Australian Catholic Bishops Conference, a permanent institution, is the assembly of the bishops of Australia, exercising together certain pastoral offices for Christ's faithful of that territory. By forms and means of the apostolate suited to the circumstances of time and place, it is to promote, in accordance with the law, that greater good which the Church offers to humankind. (From can.447)

Art. 2 The Australian Catholic Bishops Conference is composed of the Plenary Meeting, the Permanent Committee, Episcopal Commissions and the General Secretariat. (From can.451)

1. MEMBERSHIP

Art. 3 Those who belong to the Australian Catholic Bishops Conference by virtue of the universal law of the Church are all diocesan bishops in the territory and those equivalent to them in law, all coadjutor bishops, auxiliary bishops and other titular bishops who exercise in the territory a special office assigned to them by the Apostolic See or by the Bishops Conference. (From can.450, #1)

Art. 4 By virtue of these statutes, hierarchs of Eastern Catholic Church dioceses, eparchies or exarchies established by the Holy See within Australia are also members of the Australian Catholic Bishops Conference (From can.450 #1)

2. THE PRESIDENT AND VICE-PRESIDENT

Art. 5 The Conference shall elect a president and vice-president according to the prescriptions of cann.119 and 164ff., with the following provisions:
1 The election cannot be made by compromise as set out in can. 174;
2. The election shall be by secret ballot without previous nomination.

Art. 6 #1 The election of both president and vice-president shall be for a period of two years. They may hold their office for a maximum of three consecutive two year terms, unless in a particular case the plenary decides otherwise.

 #2 Should the office of president become vacant during the two year term, the vice-president shall assume the presidency until the next plenary meeting, when a new president shall be elected to complete the two year term.

 #3 Should the office of vice-president become vacant during the two year term, the members of the Permanent Committee shall elect a diocesan bishop to assume the vice-presidency until the next plenary meeting, when a new vice-president shall be elected for a term lasting until the completion of the president's term.

- Art. 7 #1 The president and vice-president must be chosen only from among the members who are diocesan bishops, including eparchs and episcopal exarchs of Eastern Catholic Churches. (*Apostolos Suos*, no. 17)
- #2 Should either cease to exercise the office of diocesan bishop, his presidency or vice-presidency of the Conference lapses from the day of the publication of the acceptance of his resignation by the Roman Pontiff. (Letter of the Congregation for Bishops, 13 May 1999)

3. THE PLENARY MEETING

- Art. 8 Plenary meetings are to be held at least once a year. An extraordinary plenary meeting may be held when special circumstances so require, at the written request of the majority of the members of the Conference or of two thirds of the members of the Permanent Committee. (From can.453).

VOTING RIGHTS

- Art. 9 By virtue of the law diocesan bishops, those equivalent to them in law, and coadjutor bishops have a deliberative vote in plenary meetings of the Bishops Conference. (From can.454, #1)
- Art. 10 By virtue of these statutes, hierarchs in charge of Eastern Catholic Church dioceses, eparchies and exarchies established by the Holy See within Australia have a deliberative vote in plenary meetings of the Conference. It is understood that the hierarchs will not vote on matters outside their jurisdiction or competence, e.g. liturgical matters of the Latin rite. (From can.450, #1)
- Art. 11 Auxiliary bishops and other titular bishop members have only a consultative vote in the making or changing of these statutes. By virtue of these statutes, they have a deliberative vote on all other matters. (From can. 454, #2)
- Art. 12 Retired bishops have the right to attend plenary meetings and are invited to make available to the Conference their special wisdom and experience. They have a consultative vote. (Letter of the Congregation for Bishops of 13 May 1999)
- Art. 13 All persons who have a deliberative vote are obliged to attend plenary meetings.

THE APOSTOLIC NUNCIO

- Art. 14 #1 While the Apostolic Nuncio does not belong to the Conference, he shall be invited to attend a session of each plenary meeting and address the Conference.
- #2 He may participate in other sessions of a plenary meeting, either by special mandate of the Apostolic See, or by the invitation of a majority of the members of the Conference present or a majority of the members of the Permanent Committee.

THE MEETING

- Art. 15 The agenda papers are prepared by the secretary in consultation with the president and forwarded to all members of the conference as early as is convenient before the plenary meeting.
- An. 16 The president of the Conference or, when he is lawfully impeded, the vice-president, presides over the plenary meetings of the Bishops Conference (From can.452, #2).
- Art. 17 The plenary meeting normally makes decisions by a simple majority vote of those present, without prejudice to the provisions of Articles 18 and 19. Should two members so request, a vote shall be taken by secret ballot.

DOCTRINAL DECLARATIONS

- Art. 18 #1 In order that the doctrinal declarations of the Australian Catholic Bishops Conference may constitute authentic magisterium and be published in the name of the Conference itself, they must be unanimously approved by the bishops who are members, or receive the recognitio of the Apostolic See if approved in plenary meeting by at least two thirds of the bishops belonging to the Conference and having a deliberative vote. (*Apostolos Suos*, IV, art. 1)
- #2 No body of the Bishops Conference, outside of the plenary meeting, has the power to carry out acts of authentic magisterium. The Bishops Conference cannot grant such powers to the committees or commissions or other bodies it establishes. (*Apostolos Suos*, IV, art. 2)

GENERAL DECREES

- Art. 19 The binding force of the decisions of the Bishops Conference shall be in accordance with canon 455.
- Art. 20 When a plenary meeting of the Bishops Conference has been concluded, its minutes are to be sent by the president to the Apostolic See for information and its decrees, if any, for review. (From can.456)
- Art. 21 Decrees of the Conference, after they have been reviewed by the Apostolic See, are promulgated by publication in the Australasian Catholic Record, though in a particular case another manner of promulgation may be prescribed. They shall come into force only on the expiry of one full calendar month after the last day of the month of publication appearing on the particular issue of the Record, unless because of the nature of the case they bind at once, or unless a shorter or longer interval has been expressly prescribed in the decree itself.

RELATIONSHIP WITH OTHER CONFERENCES

- Art. 22 In order to promote and defend whatever is for the greater good of the peoples of Oceania, each of the other bishops conferences in Oceania — the Episcopal Conference of the Pacific, the Catholic Bishops Conference of

Papua New Guinea and Solomon Islands and the New Zealand Catholic Bishops Conference — shall be given a standing invitation to send a member as an observer to each plenary meeting of the Australian Catholic Bishops Conference.

4. THE PERMANENT COMMITTEE

- Art. 23 The Permanent Committee comprises the president, the vice-president and six other bishops. Among these eight bishops there shall be at least one from each of the five ecclesiastical provinces of Australia.¹
- Art. 24 The six members other than the president and vice-president shall be elected at a plenary meeting for a period of two years, in such manner that each year half of them retire. Retiring members shall be eligible for re- election.
- Art. 25 The elections shall be conducted according to the prescriptions of cann.119 and 164ff., with the following provisions:
1. Elections cannot be made by compromise as set out in can. 174;
 2. Elections shall be by secret ballot without previous nomination;
 3. In the later ballots, should no one from a particular province or provinces have obtained membership of the Committee, only members from that province or those provinces shall be eligible to receive votes.
- Art. 26 If for any reason an elected member of the Permanent Committee ceases to be a member of the Bishops Conference, the next plenary meeting shall elect another member to complete the remainder of his term.
- Art. 27 The Permanent Committee is presided over by the president or, in his absence, the vice-president.
- Art. 28 The Permanent Committee approves the agenda for the plenary meetings of the Conference and ensures that the decisions taken at those meetings are duly executed.
- Art. 29 The Permanent Committee shall decide only matters that cannot be deferred to the next plenary meeting. It shall seek to ensure that its decisions conform to Conference policy.
- Art. 30 All members of Conference shall be informed immediately of any urgent and major decision that the Permanent Committee has felt obliged to make.
- Art. 31 #1 The Permanent Committee encourages and coordinates cooperation between the various episcopal commissions.

¹ For the purpose of these elections, the Archdiocese of Canberra and Goulburn, the Maronite diocese, the Melkite eparchy, the Chaldean eparchy and the Military Ordinariate shall be considered together with the other dioceses in the Province of Sydney, and the Archdiocese of Hobart and the Ukrainian eparchy shall be considered together with the other dioceses in the Province of Melbourne.

#2 When a matter arises which involves the competence of more than one bishops commission, the Permanent Committee may, after consultation with the relevant commission, decide which commission or commissions shall deal with the matter, or even reserve the matter to itself.

Art. 32 Meetings of the Permanent Committee shall take place at regular intervals throughout the year. When circumstances dictate, available communications technology may be used. The president, after consultation with the vice-president, may convene a special meeting at any time.

Art. 33 The secretary of the Conference is ipso facto secretary to the Permanent Committee.

Art. 34 The General Secretariat of the Conference is accountable to the Permanent Committee.

5. EPISCOPAL COMMISSIONS

Art. 35 The Australian Catholic Bishops Conference shall establish various episcopal commissions, for example those recommended by the Second Vatican Council², the Holy See³ and the Code of Canon Law⁴, in such a manner that the commissions shall cover the full range of the Church's pastoral responsibilities at a national level in Australia.

Art. 36 The plenary meeting shall determine the number of commissions and approve the mandate of each commission. It shall also determine the number of members on each commission and elect the members by secret ballot.

Art. 37 All appointments shall be for a definite period, to be determined by the plenary meeting.

Art. 38 Commissions shall act within their sphere of competence and in matters referred to them by the Conference. If a dispute arises as to which of two or more commissions is competent in a certain issue, the matter shall be referred to the Permanent Committee.

Art. 39 #1 Membership of episcopal commissions shall be restricted to those who are members of the Australian Catholic Bishops Conference in accordance with articles 3 and 4.

#2 Observers may be invited to attend all or part of a commission meeting with a consultative vote.

Art. 40 The chairman of each episcopal commission will be elected by the plenary meeting by secret ballot.

² Committees for the Liturgy and for the Media.

³ Committees for Ecumenism, the Missions, Migrants, Distribution of the Clergy, Religious Life, Seminaries and Doctrine.

⁴ Committee of censors.

6. THE GENERAL SECRETARIAT

- Art. 41 The General Secretariat of the Conference shall comprise the Secretary and necessary staff.
- Art. 42 The Secretary shall be appointed by the Conference.
- Art. 43 The General Secretariat shall be accountable to the Permanent Committee, and through it to the entire Bishops Conference.
- Art. 44 The General Secretariat shall:
1. prepare an account of the acts and decrees of the plenary meetings of the Conference, as well as of the acts of the Permanent Committee, and communicate these to all members of the Conference, and likewise record whatever other acts are entrusted to it by the Conference, the Permanent Committee or the president;
 2. communicate to the other Bishops Conferences of Oceania and to the Secretariat of the Federation of Catholic Bishops Conferences of Oceania such acts and documents as the Conference at a plenary meeting or the Permanent Committee decides to send to them;
 3. maintain the archives of the Conference.

7. VARIOUS NORMS

- Art. 45 #1 The Conference is supported financially by a levy paid by each diocese and by donations received from time to time. As a rule, the levy is to correspond to the percentage of Australian Catholics living in each diocese according to the most recent Commonwealth census, but the bishop of a financially disadvantaged diocese may request of a plenary meeting a reduction in his levy.
- #2. The temporal goods of the Conference shall be administered in accordance with the provisions of Book V of the Code of Canon Law.
- Art. 46 These statutes may be altered only at a plenary meeting by the majority vote of those members mentioned in Articles 6 and 7. Such changes to the statutes do not take effect until reviewed by the Apostolic See and lawfully promulgated.