

DIOCESE OF MEMPHIS IN TENNESSEE

PAGELLA FOR PRIESTS



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Certain faculties that you have received can be delegated by you to someone else. This is known as subdelegation. All of the faculties on this *pagella* may be subdelegated unless otherwise stated.

These faculties and their commentaries are adapted from J.M. HUELS, O.S.M., J.C.D., *Empowerment for Ministry: A Complete Manual on Diocesan Faculties for Priests, Deacons, and Lay Ministers*, New York/Mahwah, NJ, Paulist Press, 2003.

SPECIAL FACULTIES GRANTED TO ALL PRIESTS

Priests who have received a letter of delegation from the diocesan bishop or his delegate have the following faculties.

Holy Mass

1. For a good reason, a priest may celebrate Mass twice in one day and, if pastoral need requires it, three times on Sundays and holy days of obligation (c. 905, §2).

The word “celebrate” here means both preside and concelebrate. With respect to the law of bination and trination, the anticipated Mass of Sunday counts as a Mass of Saturday, not Sunday, since the canonical day runs from midnight to midnight (c. 202, §1). The same is true for the vigil of holy days.

2. At a Mass at which you preside, communion may be administered under both kinds, unless the pastor or other priest in charge of the community determines that it is not appropriate under the circumstances (GIRM 283c).

The General Instruction of the Roman Missal, no. 283c says that, with this faculty from the bishop, communion under both kinds may be given if the faithful have been well instructed and there is no danger of profanation of the sacrament or the rite does not become more cumbersome due to the large number of participants or another reason.

3. If you are unable to celebrate Mass standing, you may celebrate Mass while seated (c. 930, §1).

When celebrating Mass publicly, you should inform the people before Mass that you have this faculty.

4. You may celebrate Mass in the home of a sick person who would have difficulty coming to church, observing the law that you may not celebrate more than two Masses on a weekday or three on a Sunday or holy day of obligation (PCS 77; cf. cc. 905, §2; 932).
5. You may celebrate Viaticum during Mass in accord with canon 911, §2 (OUI 94; PCS 164).

You have this same faculty by law, below, of celebrating the rite of Viaticum for the dying apart from Mass. When celebrating Mass, you should allow the dying person the opportunity of receiving holy communion under both species. You may give

communion under the species of wine alone to a person who cannot consume the consecrated host (c. 925; PCS 181).

Penance & Reconciliation

6. You may hear the confessions of any of the faithful anywhere in the world, unless in another diocese the local ordinary revokes the faculty for that territory (cc. 969, §1; 974, §2).

Requesting the faculty when you are traveling in another diocese is unnecessary. You may presume the bishop there permits you to use it, unless you are informed otherwise. If you lose the faculty to hear confessions, you also lose the diocesan faculties of confessors (7-9, 24).

7. You may remit in the internal forum the *latae sententiae* penalty of excommunication for abortion, apostasy, heresy, and schism, provided the penalty has not been declared. You may use this faculty for anyone when hearing confessions in the diocese, but when outside the diocese you may use it only for those who are residents of this diocese by domicile or quasi-domicile (cc. 1355, §2; 1398; 1364).

Whenever someone commits the crime of abortion or abandons the Catholic faith and adheres to another religion or to atheism or agnosticism, a possibility exists that the penalty of automatic excommunication may have been incurred (cc. 1321-1325, 1398, 1364). This faculty allows you, as confessor, to remit the penalty when you absolve the sin. If a formal decree has been issued declaring the penalty, then you cannot remit the penalty. Declared penalties must be referred to the local ordinary. For a penitent returning to the Catholic faith, you should admonish him or her to begin practicing the faith in some public way, such as by registering in a parish, so that there is some external forum evidence of the person's reconciliation with the Church. Under no circumstances, however, may any confessor himself use knowledge of sin, gained only from the sacrament, in the external forum (c. 984).

8. You may dispense in the internal forum from an irregularity to the exercise of an order already received, provided it is not reserved to the Apostolic See and provided the case is not publicly known. You may use this faculty when hearing confessions in the diocese, but when outside the diocese you may use it only for clergy who are residents of this diocese by domicile or quasi-domicile (c. 1047, §4).

An irregularity is a perpetual impediment to ordination or to the exercise of an order already received. This faculty pertains only to the exercise of an order already received with respect to the following irregularities: (1) a cleric who was ordained unlawfully while he was affected by an irregularity to receiving orders; (2) one who gravely and maliciously mutilated himself or another, or who attempted suicide; (3) one who performed an act of order reserved to those in the order of the

episcopate or presbyterate, while he himself did not have that order or was barred from its exercise by some declared or inflicted penalty.

The faculty pertains only to cases in which the irregularity is not publicly known. You must tell the dispensed cleric that, if the case afterwards becomes public, he must seek a dispensation from the ordinary. Note that two irregularities to the exercise of an order are reserved to the Apostolic See even if they are not publicly known: intentional homicide and positively cooperating in the crime of abortion. See canons 1040-1049.

Marriage

9. Anywhere within the territory of the parish to which you are assigned as parochial vicar or senior priest or priest in residence, you may assist at marriages involving at least one party who is a Catholic of the Latin church (cc. 1108, 1111).

This faculty is only for marriages within the territory of the parish to which you are assigned. If you are to assist at a marriage outside of the territory of your pastoral assignment, you must obtain delegation from the pastor of the territory. You may also be subdelegated by the parochial vicar or senior priest assigned to the parish.

You may also celebrate the appropriate marriage rite for a catechumen, even to another non-Catholic (OCM 152). As with any non-sacramental marriage, it cannot take place at Mass, and the appropriate rite of marriage must be used.

10. After the conditions of canon 1125 have been fulfilled, you may, for a just and reasonable cause, permit a mixed marriage between a Latin Catholic and a baptized non-Catholic to be celebrated in the parish, provided there is no doubt about the validity of the baptism of the Catholic party and the Catholic party promises to raise the children in the Catholic faith (c. 1124).

The conditions of canon 1125 are: (1) The Catholic party declares that he or she is prepared to remove dangers of falling away from the faith and makes a sincere promise to do all in his or her power to have all the children baptized and brought up in the Catholic Church. (2) The other party is to be informed at a suitable time of the Catholic party's promises so that the non-Catholic party is truly aware of the promise and obligation of the Catholic party. (3) Both parties are to be instructed on the ends and essential properties of marriage that are not to be excluded by either party.

If the non-Catholic party clearly states that they do not intend to allow the children to be baptized and brought up in the Catholic Church, the permission is not to be given. (See DAPNE 150)

Ecumenical Matters

11. On exceptional occasions, if you are presiding at a wedding or a funeral, and a Catholic requests that a baptized non-Catholic family member or friend serve as lector, you may permit it (DAPNE 133).

A typical just cause would be verified at weddings, funerals, and like celebrations when the baptized non-Catholic has some kind of relationship to the Catholic family members and they were to involve this person more actively in the celebration. Before using the faculty, you should have assurances that the designated person is capable of reading intelligibly in public and that their service as lector is not likely to cause scandal to the faithful.

12. You may attend or participate in the celebration of a mixed marriage outside a Catholic church or oratory when a dispensation from canonical form has been given. If invited to do so by the non-Catholic minister, you may offer prayers, read from the scriptures, give a brief exhortation, and/or bless the couple; however, you may not ask for and receive the consent of the parties (DAPNE 157).

The minister who asks for and receives the consent of the parties must be the minister of the host church. With a dispensation from canonical form, that minister is the non-Catholic.

13. Upon the request of the couple, and if you have the faculty to assist at marriage, even by special delegation, you may invite the minister of the party of the other church or ecclesial community to participate in the celebration of the marriage by reading from scripture and/or giving a brief exhortation (DAPNE 158).

If you do not have the faculty to assist at marriages in the parish, you must obtain it from the local ordinary or pastor or, in the absence of the pastor, from the priest or deacon who has general delegation in the parish.

14. At a marriage between a Catholic and an Eastern non-Catholic (c. 844, §3), you may use the Rite of Marriage within Mass, and the non-Catholic party may receive holy communion if he or she asks for it and is properly disposed (OCM 36).

You may also give communion to the Eastern Christian wedding guests, but you may not publicly invite them to holy communion, as their own discipline may prevent it and canon law requires that they ask on their own for it.

15. You may take part in meetings with other Christians aimed at improving ecumenical relations and resolving pastoral problems in common. This faculty may be used within the territory of the diocese (DAPNE 91b).

Funerals

16. You may permit church funeral rites for children who die before baptism, provided their parents had intended to have them baptized (c. 1183, §2).
17. You may permit the celebration of the Church's funeral rites for a validly baptized member of another church or ecclesial community provided this would not be contrary to the wishes of the deceased person and provided the minister of the deceased person is unavailable (c. 1183, §3; DAPNE 120).

The name of a non-Catholic may not be mentioned during the Eucharistic Prayer (DAPNE 120). In some cases it may be more suitable to celebrate the funeral liturgy outside Mass, especially if few Catholics will be present.

The minister may be "morally" unavailable as well as physically unavailable, for example, if there is a church of the deceased person's denomination, but he or she was unknown to the minister there. It sometimes happens that the spouse or next of kin of the deceased is Catholic, but he or she does not have a place for the funeral rites of the deceased person.

18. You may celebrate the funeral liturgy in the presence of the cremated remains of a deceased person, taking into account the concrete circumstances in each individual case, and always observing the following conditions: (1) There is no anti-Christian motive for choosing cremation (c. 1176, §3). (2) The cremated remains will be handled with respect and buried or entombed in a place reserved for this purpose. (3) There is no other canonical prohibition of a funeral liturgy, namely, for notorious apostates, heretics, and schismatics and other manifest sinners for whom ecclesiastical funerals cannot be granted without public scandal to the faithful (c. 1184). Doubtful cases are to be referred to the bishop, the vicar general, or the chancellor.

For additional norms, see NCCB, Order of Christian Funerals, Appendix: Cremation, no. 426.

Divine Office

19. Always mindful of the important obligation to pray the Divine Office, when travel makes the recitation of the Office difficult, you may substitute the Holy Rosary or the Chaplet of Divine Mercy or some other prayer in place of the Divine Office for that day.
20. If you celebrate Mass three times in a day for the benefit of the faithful, you are dispensed from the obligation of praying the Divine Office for that day.

Private Vows and Oaths

21. In keeping with canons 1196 and 1203, you may dispense from private vows and promissory oaths, provided the vow or oath does not affect anyone else in the external

forum. Likewise, you may commute the obligation of a private vow or oath to a lesser good. You may use this faculty when hearing confession within the diocese, but outside the diocese only for residents of this diocese by domicile or quasi-domicile.

This faculty cannot be used if the dispensation will negatively affect others in the external forum, especially if their acquired rights could be harmed or if they refuse to remit the obligation of a private vow or oath. Pastors have this faculty by law in the external forum (cc. 1196, 1203).

22. In the external forum, you may dispense from private vows, provided the dispensation does not injure the acquired rights of others. You may dispense from promissory oaths, unless dispensation from an oath would tend to harm one or other persons who refuse to remit its obligation. You may commute the obligation of a private vow or oath to a lesser good. This faculty may be used in the external forum on behalf of anyone who has domicile or quasi-domicile in the Diocese of Memphis in Tennessee wherever they are staying and for anyone within the territory of the Diocese (cc. 1196, 1^o; 1203).

This faculty does not apply to public vows, such as the vows taken by members of religious institutes.

SPECIAL FACULTIES GRANTED TO PASTORS

The following faculties are granted to all pastors (*parochi*) of parishes (personal or territorial), parochial administrators, and priests who supervise a parish that does not have a proper pastor.

Christian Initiation

23. You may permit the abbreviated rite for the initiation of an adult in the exceptional circumstances envisioned in the law: sickness, old age, change of residence, long absence for travel, or a depth of Christian conversion and a degree of religious maturity in the catechumen. In all other cases, the permission of the diocesan bishop is necessary to use the abbreviated rite (c. 851, 1°; OICA 240, 274; RCIA 331-332).

The abbreviated rite is found in OICA 240-247 (RCIA 340-369).

24. For a serious reason, you may dispense a catechumen from participating in one scrutiny or, in extraordinary circumstances, from two. The extraordinary circumstances for granting the dispensation from two scrutinies are those mentioned in faculty III.1 (OICA 52, 66, §3; RCIA 20, 34, §3).

The three scrutinies take place normally on the third, fourth, and fifth Sundays of Lent. The scrutinies are special presidential prayers of the celebrant that intercede for the catechumens. A serious reason for dispensing from participation in a scrutiny might be the catechumen's inability to come to the Mass on a particular day when the scrutiny is to take place. The scrutinies are found in OICA 152-180; RCIA 141-177.

25. You may celebrate the Rite of Election or Enrollment of Names when a catechumen or godparent is unable to participate in the rite celebrated by the bishop on the first Sunday of Lent, provided it is celebrated on the Sunday before or after the first Sunday of Lent or, if that is impossible, at a weekday Mass during the week before or after the first Sunday of Lent.

There are two conditions for the use of the faculty. The first is that the catechumen or godparent is unable to come to the diocesan celebration on the first Sunday of Lent. The second condition is mentioned in the law itself: When the rite cannot be celebrated on the first Sunday of Lent due to urgent pastoral reasons, it must be celebrated the week before or after the first Sunday of Lent.

26. You may baptize those seven years of age and older who have the use of reason, without referring them to the bishop, and confirm them in the same rite (cf. c. 863). This faculty may be validly subdelegated.

Canon 863 states: "The baptism of adults, at least of those who have completed their fourteenth year, is to be deferred to the diocesan bishop so that he himself administers it if he has judged it expedient." Although the canon mentions only

baptism, confirmation is a necessary part of the rite of initiation of adults, that is, of those seven years of age and older with the use of reason (c. 852, §1). The pastor and parochial vicar have the faculty to confirm by law when baptizing those who are no longer infants (c. 883, 2°).

27. Besides the case of danger of death, you may confer baptism in a private house for a condition that makes it difficult for the one to be baptized to leave the house (c. 860, §1).

Ordinarily, baptism is to be celebrated in the parish church (c. 857). In an emergency, it may be celebrated anywhere. This faculty is not needed in danger of death but is intended for use with a person who has a serious disability or illness that makes it difficult to come to the church.

28. If, after a serious investigation, a doubt remains about the validity of a candidate's non-Catholic baptism, and after explaining to the candidate the Church's teaching on valid baptism, you may conditionally baptize. Conditional baptism may be done only in a private ceremony, omitting non-essential rites if desired, but always retaining the renunciation of sin, the profession of faith, the baptism with water, and anointing with sacred chrism. Afterwards, at a public celebration such as the Sunday Mass, you confirm the person, observing the Rite of Reception of Baptized Christians into the Full Communion of the Catholic Church. (See c. 869 and DAPNE 99.)

The Rite of Reception into the Full Communion of the Catholic Church, appended to the Rite of Christian Initiation of Adults, is used in receiving Protestants into the Church. It is used for those seven and older who have the use of reason. Confirmation and first communion are an integral part of the rite, which may not be delayed, even with children who are below the normal age of confirmation in the diocese but who are at least seven. For children under seven, it suffices that either parent declares his or her intention that the child be received into the Church, and that this be noted in the baptismal register, along with pertinent entries concerning the child's baptism.

For those baptized in a separated Eastern Church, this rite is not observed; they need only make a profession of faith.

For those who might have been invalidly baptized, but who think they were validly baptized, the ceremonies should be minimal. For those who believe their baptism was not valid, or who themselves ask for a fuller liturgical celebration, additional ceremonies, even all the ceremonies of baptism, may be used. Those whose baptism is not doubtful should not be required to fulfill the complete catechumenate, nor should they participate in the Rite of Election, unless they do not consider themselves Christian. A private celebration of baptism is not publicized in any way; having a godparent or witness present is sufficient, but the presence of guests should not be encouraged.

29. When the preparation of baptized adults for confirmation coincides with preparation for marriage and it is foreseen that the conditions for a fruitful reception of confirmation cannot be satisfied, or if confirmation cannot be conferred without grave inconvenience, you may defer confirmation until after the marriage (c. 1065, §1; RC 12). If the party wants to be confirmed before marriage and you are opposed, you must refer the case to the local ordinary.

Confirming before marriage is preferable, since the assumption that the party will return for confirmation after the wedding is often unrealistic. Because confirmation, theologically, is a continuation of sacramental initiation begun at baptism, it is not necessary to precede confirmation with a lengthy catechetical program. Therefore, the pastor or parochial vicar ordinarily can confirm an engaged party after a minimal catechesis about the meaning and importance of baptism and confirmation and the obligations of the Christian life that flow from sacramental initiation. In rare cases, when there is not sufficient time even for this, or if the party maintains that confirmation before marriage would be a grave inconvenience (c. 1065, §1), it may be delayed until after the wedding.

Holy Thursday

30. You may permit a second Mass of the Lord's Supper on Holy Thursday if any of the following conditions is applicable: (1) there are too many faithful to accommodate at one Mass on Holy Thursday; (2) you have the care of more than one church, and coming together at a single church is not possible; (3) Mass is celebrated in more than one language and having a multi-lingual celebration is not feasible. The Mass may not begin before 4 P.M. This faculty may not be subdelegated.

Anointing of the Sick

31. You may decide when it is fitting to celebrate the anointing of the sick for several of the sick together in a sacred place or other suitable place, provided there is previous instruction on the eligibility requirements for the sacrament, in particular, that the recipients must be seriously ill or notably weakened due to old age and must have attained the use of reason. You may also designate other priests to anoint at these times (c. 1002; PCS 108).

These celebrations should take place in a church, chapel, or other appropriate place where the sick and others can easily gather. On occasion, a communal anointing may also take place in hospitals and other institutions. The practice of indiscriminately anointing numbers of people on these occasions simply because they are ill or have reached an advanced age is prohibited. Only those whose health is seriously impaired by sickness or old age are proper subjects for the sacrament.

Marriage

32. You may permit: (1) the marriage of transients (*vagi*), provided the diocesan marriage preparation program is observed, to the extent possible, and baptismal certificates or sworn

affidavits show they are free to marry; (2) 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 fulfilled (c. 1071, §1, nn. 1, 3, 4; §2).

Canon 1125 states: “The local ordinary can grant a permission of this kind if there is a just and reasonable cause. He is not to grant it unless the following conditions have been fulfilled: (1) the Catholic party is to declare that he or she is prepared to remove dangers of defecting from the faith and is to make a sincere promise to do all in his or her power so that all offspring are baptized and brought up in the Catholic Church; (2) the other party is to be informed at an appropriate time about the promises which the Catholic party is to make, in such a way that it is certain that he or she is truly aware of the promise and obligation of the Catholic party; (3) both parties are to be instructed about the purposes and essential properties of marriage which neither of the contracting parties is to exclude.

FACULTIES GRANTED TO ALL PRIESTS BY LAW

The faculties in this section are for your information. You already have these faculties as a validly ordained priest in good standing.

Preaching

1. With at least the presumed consent of the rector of a church or the competent religious superior, you may preach everywhere, unless the competent ordinary has restricted or removed this faculty (c. 764).

The rector of the church, in this context, refers to the one in charge: the pastor, chaplain, cathedral or shrine rector, religious superior, or other priest in charge. Canon 765 states that preaching to religious in their churches or oratory requires the permission of the competent religious superior, including lay superiors. A priest invited to celebrate the Eucharist or another liturgical act may presume the permission to preach, as the homily is part of the liturgy itself (cf. c. 767, §1). Apart from the liturgy, the rector's or superior's permission to preach must be express, for example, the preaching of a retreat.

Holy Communion

2. You have the faculty to appoint a qualified person to distribute communion for single occasions when you are the presiding celebrant and there are too many communicants and insufficient ordinary and extraordinary ministers of communion, or when it is necessary to bring Viaticum to a dying person and no ordinary or extraordinary minister is available (GIRM 162; c. 911, §2). This faculty may be used everywhere with at least the presumed consent of the pastor.

The priest commissions the minister by blessing him or her and saying: "Today you are to distribute the body and blood of Christ to your brothers and sisters. May the Lord + bless you, N." Response: "Amen." When this ministry will be exercised during Mass, the commissioning occurs after the sacred ministers have received holy communion.

Confession

3. Confessors have the faculty to remit in the internal sacramental forum an undeclared *latae sententiae* censure of excommunication or interdict if it is burdensome for the penitent to remain in the state of grave sin during the time necessary for the competent superior to make provision (c. 1357, §1). This faculty may be used anywhere in the world.

This faculty pertains to the remission of all latae sententiae penalties that have not been declared, including those reserved to the Apostolic See. The penalty is said to be declared if the local ordinary has issued a decree stating that the penalty has been incurred. The use of this faculty is subject to the rule of canon 1357, §2: "In granting the remission, the confessor is to impose on the penitent, under the penalty

of reincidence, the obligation of making recourse within a month to the competent superior or his mandates; in the meantime he is to impose a suitable penance and, insofar as it is demanded, reparation of any scandal and damage; however, recourse can also be made through the confessor, without mention of the name.” If you have any questions about how to proceed in such a case, please call the chancellor.

Marriage

4. Whenever an impediment is discovered after everything has already been prepared for the wedding, and the marriage cannot be delayed without probable danger of grave harm until a dispensation is obtained from the competent authority, confessors may dispense in occult cases from all impediments except prior bond, impotence, consanguinity in the direct line and the second degree of the collateral line, sacred orders, and a public perpetual vow of chastity in a religious institute of pontifical right (c. 1080, §1). This faculty may be used anywhere in the world.

Some impediments are of their nature public, such as, for example, lawful consanguinity or affinity, bond of marriage, holy orders, a public perpetual vow of chastity in a religious institute, disparity of worship, adoption. Sometimes one of these may be occult in fact. Other impediments are of their nature occult, for example, illegitimate consanguinity or affinity, or crime. Yet they may be in fact public, since it may happen that they are capable of proof owing to the particular circumstances of the case. Some impediments may be public in one place or at one time but occult elsewhere or later. Therefore, several times the code speaks of occult cases.

Dispensations granted in the sacrament of penance are not written down or recorded anywhere. If the impediment later becomes public, a dispensation in the external forum will be necessary.

Pastoral Care of the Sick

5. You may administer the anointing of the sick to anyone validly baptized who is seriously ill, observing canon 844, §§3-4 if the person is not Catholic. When celebrating the rite, you have the faculty by law to bless the oil in a case of necessity, but only within the sacrament (OUI 17; PCS 21; cc. 999, 2°; 847, §1). This faculty may be used anywhere in the world with at least the presumed consent of the pastor (c. 1003).

A case of necessity is demonstrated when two circumstances exist: (1) someone gravely ill requests the sacrament, and (2) you do not have time to get the oil of the sick blessed by the bishop. In that case, you may bless olive oil or any plant oil during the rite itself (PCS 123).

Faculties in Danger of Death

6. In danger of death, you may baptize anyone not yet validly baptized, including a fetus, provided the person is alive (cc. 864, 871). Those who had the use of reason at any time during their life may not be baptized without having manifested this intention; they must also have some knowledge of the principal truths of the faith and must promise to observe the commandments of the Christian religion (c. 865, §2). This faculty may be used anywhere in the world.

The Rite of Christian Initiation for the Dying, from Pastoral Care of the Sick, is to be used, if the ritual is available. The one to be baptized demonstrates “some knowledge of the principal truths of the faith” and the “promise to observe the commandments of the Christian religion” by an affirmative answer to the four questions you are to ask at the beginning of the rite (PCS 282). After asking the questions, if death is imminent, it suffices to observe what is necessary for validity: water baptism and the Trinitarian formula (cc. 850, 853; PCS 277). If the sacred chrism is available, the person—whether adult or infant—should be confirmed immediately afterward. The baptism and confirmation are registered in accord with canons 877-878 and 895-896.

7. You have the faculty to confirm anyone validly baptized, including an infant or non-Catholic, who is in danger of death (cc. 883, 3°; 891; RC 7c). This faculty may be used anywhere in the world.

A validly baptized non-Catholic should not be confirmed unless he/she intends to become a Catholic. If the baptized non-Catholic lacks the use of reason, he/she may be confirmed if the parent or guardian wants the infant to become a Catholic. The confirmation is recorded in the diocesan archives or the parish of the person’s domicile. If the person was baptized a Catholic, the confirmation is also recorded in the parish of baptism (c. 895). See also the commentary on the above faculty.

8. You may bring Viaticum to a person who is dying, with at least the presumed permission of the pastor, chaplain, or superior, who must be notified afterwards (c. 911, §2). You may also give Viaticum to a baptized non-Catholic who is in danger of death, in accord with the law (c. 844, §§3-4). This faculty may be used anywhere in the world.

The dying person must request the sacrament and be properly disposed. You should celebrate the sacrament of reconciliation first, if possible. If the baptized person is not a Catholic, the conditions of canon 844, §§3 and 4 must be observed. Viaticum may be administered under both kinds or even under the form of wine alone if the dying person cannot consume bread (cc. 866, 925; PCS 181, 276).

9. Even if you lack the faculty to hear confessions by office or delegation, you may validly and licitly absolve any penitent in danger of death from any censures and sins, even if an approved priest is present (c. 976). You may also absolve any baptized non-Catholic,

observing canon 844, §§3-4. This faculty may be used anywhere in the world (RCIA 280; PCS 276).

The absolution from censures applies only to Catholics, since only they are subject to the penal laws of the Church. If the censure being remitted was imposed or declared in the external forum, or if its remission is reserved to the Apostolic See, you must inform the penitent that, after recovering, he or she must request the permanent remission of the penalty from the competent authority (c. 1357, §3). This should be done within a month, and normally you or another confessor should apply for the remission on the penitent's behalf without mentioning the penitent's name. If you have any questions about how to proceed in such a case, please call the chancellor.

10. Even if you lack the faculty to hear confessions by office or delegation, you may grant a general absolution without previous individual confession when the danger of death is imminent and there is insufficient time to hear the confessions of the individual penitents (c. 961, §1, 1^o). This faculty may be used anywhere in the world.

If there is time, you should exhort the penitents to make an act of contrition and inform them that they must intend to confess any serious sins in individual confession within a suitable period of time. The absolution is valid only for those who are contrite and intend to confess their grave sins in individual confession later, if they survive (c. 962).

11. When a party to a marriage is in danger of death, confessors may dispense from occult impediments to marriage for the internal forum, within or outside the act of sacramental confession. If you lack the faculty to hear confessions by office or delegation, you may grant this dispensation only within the act of sacramental confession (c. 1079, §3). This faculty may be used anywhere in the world.

The faculty of canon 1079, §3 is granted only to confessors, namely, to those who have the faculty to hear confessions. A priest who lacks the faculty is given it by law in order to hear the confession of someone in danger of death. Therefore, a priest lacking the faculty to hear confessions can grant this dispensation only within the act of sacramental confession, because outside of this act he is not a confessor.

The confessor may dispense impediments that are occult in nature or that are public by nature but occult in fact (cf. c. 1074). The dispensation is not recorded and is not made known to anyone by the confessor. If the impediment should later become public, a further dispensation for the external forum should be sought and duly recorded, if possible (cf. cc. 1081-1082). Note that, in this internal forum situation, the law does not speak of the danger of death being urgent. This indicates that the danger of death for an internal forum dispensation may be more remote than for a dispensation in the external forum.

12. Even if you lack the faculty to assist at marriage, when one or both parties is in danger of death and when the local ordinary cannot be reached, you may dispense the parties to marriage both from the form to be observed in the celebration of marriage and from each and every impediment of ecclesiastical law, whether public or occult, except the impediment arising from the sacred order of the presbyterate (c. 1079, §2).

The local ordinary is not considered accessible if he can be reached only by telegraph or telephone (c. 1079, §4), e-mail or fax.

If you lack the faculty, the marriage is celebrated according to the extraordinary form (c. 1116, §2). In that case, no dispensation from form is necessary unless another witness is unavailable.

If you have the faculty to assist, you should dispense from the form if: (1) the marriage is being celebrated outside the territory of the parish; (2) two witnesses are unavailable.

If there is time, you should exhort the parties to make an act of perfect contrition or hear their confessions, if they are baptized and want to confess.

All impediments may be dispensed except prior bond, impotence, consanguinity in the direct line and second degree of the collateral line, and the sacred order of the presbyterate. You should dispense as follows: "I dispense you from the canonical form and/or from the impediment of _____."

The parties must be present together and must express their consent to marry each other, even by signs if one party cannot speak (c. 1104). If you lack the marriage ritual and are unsure of the formula for asking for and receiving the consent of the parties in the name of the Church, you may use equivalent words of your own (c. 1108, §2).

If the dispensation is for a public impediment, you are to notify the local pastor and local ordinary immediately afterward so that the dispensation may be properly recorded (cc. 10831-1082).

If it is a mixed marriage between a Catholic and baptized non-Catholic, no permission is necessary in danger of death (c. 1068).

FACULTIES GRANTED TO PASTORS BY LAW

The faculties in this section are for your information. Pastors (*parochi*) already have these faculties for their parish.

Christian Initiation

1. When you baptized anyone seven years of age or older with the use of reason or receive the same into full communion with the Catholic Church, you have the faculty and obligation to confirm during those rites. This faculty may not be validly subdelegated (c. 883, 2°).

Confession

2. Within the territory of the parish, you have the faculty to hear confessions (c. 968, §1). This faculty may not be validly subdelegated.

The delegated faculty, given on the diocesan pagella for priests, may be used anywhere in the world.

Marriage

3. Within the territory of the parish, you have the faculty to assist at a marriage involving at least one Catholic of the Latin church *sui iuris* (c. 1109).

By law, you may delegate this faculty to another priest. General delegation, for validity, must be granted in writing (c. 1111). Special delegation, for liceity, also should be granted in writing (c. 37), so there is proof that the marriage was validly celebrated.

4. You may celebrate the marriage of a catechumen, even to a non-Catholic, according to the appropriate rite of marriage involving a non-baptized person, which may never take place at Mass (OCM 152).

A catechumen is someone who has been accepted into the order of catechumens until baptism. The catechumen has the right to a church wedding, whether to a Catholic or a non-Catholic (OCM 152). The rite for non-sacramental marriages is to be observed, always celebrated outside Mass. If the marriage is between a catechumen and a Catholic, a dispensation from the impediment of disparity of worship is necessary.”

5. Whenever an impediment is discovered after everything has already been prepared for the wedding, and the marriage cannot be delayed without probable danger of grave harm until a dispensation is obtained from the competent authority, you may dispense in occult cases from all impediments except prior bond, impotence, consanguinity in the direct line and the second degree of the collateral line, sacred orders, and a public perpetual vow of chastity in a religious institute of pontifical right (c. 1080, §1). You may dispense either

Catholic party, even if they live outside the parish territory, provided the marriage takes place in the parish, and you may dispense a parishioner even if the marriage is lawfully celebrated outside the parish territory.

The difference between this faculty and that given for confessors is that this faculty is used in the external forum, whereas that of a confessor is used in the internal forum. An external forum dispensation is reported to the local ordinary and recorded; a dispensation granted during a sacramental confession is not (c. 1081)

This dispensation should be granted in writing: "In virtue of the faculty of canon 1080, §1, I dispense N. from the impediment of _____ so that he/she may be free to marry N. on [date] at this church, [name of parish]. The reason for this dispensation is to avoid the probably danger of grave harm if the marriage is delayed while waiting for the dispensation from the competent authority." You should write the dispensation on parish stationery, sign and date it. A copy is to be sent to the local ordinary and another copy retained for the marriage file.

Some impediments are of their nature public, such as, for example, lawful consanguinity or affinity, bond of marriage, holy orders, a public perpetual vow of chastity in a religious instituted, disparity of cult, adoption. Sometimes one of these may be occult in fact. Other impediments are of their nature occult, such as, for example, illegitimate consanguinity or affinity, or crime. Yet they may be in fact public, since it may happen that they are capable of proof owing to the particular circumstances of the case. Some impediments may be public in one place or at one time but occult elsewhere or later. Accordingly, the code sometimes speaks of occult cases (cc. 1047, §3; 1048; 1080, §1).

Funerals

6. You may celebrate funeral rites for a deceased catechumen, omitting language referring to Christian baptism (c. 1183, §1). You have the discretion of celebrating the funeral liturgy outside Mass, especially if the immediate family is not Catholic (OE 45).

This faculty is from the rite of funerals. (See OE 45; OCF 178.)

Sunday Mass Obligation and Days of Penance

7. In individual cases and for a just cause, you may dispense parishioners anywhere they are, and others who are in the parish territory, from the obligations to attend Mass and abstain from work on Sundays and holy days of obligation, or you may commute the obligation to another pious work. Under the same conditions, you may dispense from or commute the obligations of fast and abstinence on a day of penance (c. 1245).

A commutation is the substitution of one obligation for another that can be more easily done.

Private Vows and Oaths

8. In the external or internal forum, you may dispense from private vows, provided the dispensation does not injure the acquired rights of others. You may dispense from promissory oaths, unless dispensation from an oath would tend to harm one or other persons who refuse to remit its obligation. You may commute the obligation of a private vow or oath to a lesser good. This faculty may be used on behalf of parishioners wherever they are staying and within the boundaries of the parish on behalf of visitors (cc. 1196, 1°; 1203).

This faculty does not apply to public vows, such as the vows taken by members of religious institutes.

APPENDIX A

VALIDITY OF NON-CATHOLIC BAPTISMS

A. Churches and Ecclesial Communities with VALID BAPTISM

The following is a list of baptisms which are considered valid, as both water (pouring, sprinkling, or immersing the one baptized) and the Trinitarian formula (“I baptize you in the name of the Father, and of the Son, and of the Holy Spirit”) are used. Also, the minister must intend to do what the Church does when baptizing.

- All Eastern non-Catholics (including all Orthodox churches)
- African Methodist Episcopal
- Amish
- Anglican/Church of England/Episcopalian
- Assembly of God
- Baptists
- Christian and Missionary Alliance
- Church of the Brethren
- Church of Christ
- Church of God
- Church of God in Christ
- Congregational
- Disciples of Christ
- Evangelical
- Evangelical United Brethren
- Liberal Catholic
- Lutheran
- Methodist
- Church of the Nazarene
- Old Catholic
- Old Roman Catholic
- Polish National
- Presbyterian
- Reformed
- United Church
- United Church of Canada
- United Church of Christ
- United Reformed
- United Church of Australia
- Waldensian
- Zion

B. Ecclesial Communities with Baptisms of DOUBTFUL VALIDITY

The following communities have baptismal practices which are not uniform and are considered to be doubtful, requiring an investigation into each case. Some of their communities have valid baptism, others do not.

- Mennonite
- Moravian
- Pentecostal
- Seventh Day Adventist

C. Ecclesial Communities and Organizations with INVALID BAPTISM

The following is a list (albeit incomplete) of baptisms considered to be invalid, due to a number of reasons.

- Amana Church Society
- American Ethical Union
- Apostolic Church (“Apostolic Overcoming Holy Church of God”)
- Apostolic Faith Mission
- Bohemian Free Thinkers
- Children of God (“The Family”)
- Christadelphians
- Christian Community (disciples of Rudolph Steiner)
- Christians of Universalist Brotherhood
- Church of Christ, Scientist (“Christian Scientists”)—no baptism
- Church of Divine Science
- Church of David’s Band
- Church of Illumination
- Church of Jesus Christ of Latter Day Saints (“Mormons”)
- Church of Revelation
- Erieside Church
- General Assembly of Spiritualists
- Hephzibah Faith Missionary Association
- House of David Church
- Iglesia ni Kristo (Philippines)
- Independent Church of Filipino Christians
- Jehovah’s Witnesses
- Masons/Freemasonry—no baptism
- Metropolitan Church Association
- National David Spiritual Temple of Christ Church Union
- National Spiritualist Association
- New Jerusalem Church (Swedenborg or “New Age” Church)
- Peoples Church of Chicago
- Plymouth Brethren
- Quakers (“Society of Friends”)—no baptism
- Reunification Church (“Moonies”)
- Salvation Army
- Shakers (“United Society of Believers”)—no baptism
- Spiritualist Church
- Unitarians
- Universal Emancipation Church

Adapted from W.H. WOESTMAN, O.M.I., *Canon Law of the Sacraments of Parish Ministry*, Ottawa, Saint Paul University, 2007, pp. 367-369

APPENDIX B

ABBREVIATIONS

c.	canon
cc.	canons
BB	<i>Book of Blessings</i> , 1987 (ICEL), 1989 (USA)
DAPNE	Directory for the Application of the Principles and Norms on Ecumenism (Pontifical Council for Promoting Christian Unity), 1993
DB	<i>Rituale Romanum: De Benedictionibus, editio typica</i> , 1984
DSCAP	Directory for Sunday Celebrations in the Absence of a Priest (Congregation for Divine Worship), June 2, 1998
GILH	General Instruction of the Liturgy of the Hours, 1971
GIRM	General Instruction of the Roman Missal, 3 rd edition, 2000
HCWE	Rite of Holy Communion and Worship of the Eucharist outside Mass, 1973
OCF	<i>Order of Christian Funerals</i> , 1985 (ICEL), 1989 (USA)
OCM	<i>Ordo celebrandi Matrimonium, editio typica altera</i> , 1990
OE	<i>Ordo exsequiarum, editio typica</i> , 1969
OICA	<i>Ordo initiationis christianae adultorum, editio typica</i> , 1972
OUI	<i>Ordo unctionis infirmorum eorumque pastoralis curae, editio typica</i> , 1972
PCS	Pastoral Care of the Sick: Rites of Anointing and Viaticum, 1983
RBC	Rite of Baptism of Children
RC	Rite of Confirmation, 1971
RCIA	Rite of Christian Initiation of Adults, 1988
RP	Rite of Penance, 1973
SDO	<i>Sacrum Diaconatus Ordinem</i> , the apostolic letter <i>motu proprio</i> of Pope Paul VI restoring the permanent diaconate, June 18, 1973