

PROVINCIAL STATUTES

ATLANTIC PROVINCE

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## SECTION I

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## SECTION I

### TITLE I COMMUNITY LIFE

- The Statutes of the Province are enacted safeguarding common law practices of the Church and of our Congregation.
  - The official title of the Congregation for use in the Atlantic Province is *Congregation of Missionaries of the Precious Blood, Atlantic Province*. Its abbreviation is C.P.P.S.
  - The Roman cassock with sash and mission crucifix with chain are the official insignia of membership. They are conferred at the time of definitive incorporation.
4. a) Members live in the Mission House or residence to which they are assigned by the Provincial Director after consulting his Council. Mission Houses are designated, established or suppressed by the Provincial Assembly. Residences are accepted or suppressed by the Provincial Director with the consent of his Council;
- b) Permission of the local director is required for an absence of less than 10 days, and of the Provincial Director for more than 10 days, from member's residence for non-official reasons;
- c) A member living outside of a Mission House or residence after 30 days, without the authorization of the Provincial Director is deprived of active and passive voice as well as his personal allowance and other benefits and expenses provided by the Province. In the meantime, the Province furthermore declines any liability for his actions. After a period of 3 months, the Provincial Director must present the matter to the Provincial Council for further action;

- d) As members of a missionary community, their mobility and availability are recommended according to the needs of the Province.
5. At the time they are established, it is recommended that an endowment fund be created for each Mission House to be used for the support and maintenance of that house. Such endowment funds will be administered by the Provincial Treasurer.
6. The *Manuale Precum C.P.P.S.* contains the official prayers for use in the Province. Each day the members of the community gather for prayer. The time, place, and type of prayer are determined by the local congressus.
7. In years when there is no Provincial Assembly, the members gather for the annual retreat whose time and place are determined by the Provincial Director after consulting his Council. Any member wishing to make a retreat other than the provincial retreat is to inform the Provincial Director of his arrangement. Members are also to inform the Provincial Director of the time and place of their retreat in years when no provincial retreat is offered.
8. At the death of the Holy Father and the Moderator General, a Mass of suffrage is to be celebrated in every Mission House or residence. In addition, at the death of a member of the Province or a candidate in its formation program, a Mass is to be celebrated by each priest. All others are to participate in one such Mass.
9. Each year, in every Mission House or residence, preferably in the month of November or during provincial gatherings, the following Masses are to be celebrated by every priest:
- For all the faithful departed
  - For the deceased of the Congregation
  - For deceased relatives and benefactors
- All others are to participate in one Mass for each of the above intentions.
10. All income from the ministry, including benefits payable, is property of the Province.
11. a) Incorporated members receive a fitting personal allowance to be determined by the Provincial Director with the consent of his Council to take care of those things not provided for by the Congregation. Additional allowances and official expenses are determined by the Provincial Director with the consent of his Council, and are listed in the Provincial Customary;

b) Each member engaged in the active ministry should earn sufficient income to cover his personal allowance, any car or transportation allowance, other allowances,

Christmas and Easter bonus, official expenses, health insurance premiums, Precious

Blood Discretionary Fund contribution, as well as a contribution to the Province. Ministries that do not cover these expenses, in whole or in part, require the permission of the Provincial Director;

c) The Provincial, after consulting his Council, can assign a member to a ministry which must be subsidized or for which there is no financial gain to the Province in order to serve a particular need of the Congregation or of society.

12. Provincial Assembly For extraordinary expenditures, debts or investments of the Province, the Provincial Assembly determines in its Norms and Guidelines the competency of the Provincial Assembly itself, the Provincial Director, the Provincial Director with the consent of his Council and the Local Congressus, safeguarding the decrees approved by the General Assembly.

13. a) Since the funds administered by each Mission House and residence are property of the Province, excess moneys should be periodically forwarded to the Provincial Treasurer;

b) Each Mission House and residence is to submit to the Provincial Treasurer a financial statement in January and July of each year according to the form contained in the Provincial Norms and Guidelines, the fiscal year of the Province being January-December;

c) Individuals not responsible for their housing, are not to open a community account at their place of ministry but to send their contribution and expenses monthly to the Provincial Treasurer and the treasurer will mail back to them their check.

14. By the time of definitive incorporation each member should deposit with the provincial office a copy of his last will and testament approved by an attorney as well as instructions pertaining to burial arrangements. Members are to review these matters periodically to insure their current status. Each member is encouraged to remember in his will the needs of the Province.

15. Every member is entitled to one free day each week as well as an annual vacation of one month.

16. Communication among the members of the Province is to be fostered through a newsletter published by the provincial office.

17. If any member has a serious complaint or grievance, he has the right to present the matter to the Provincial Director. The member may also present the

matter to the Provincial Council for further consideration.

18. A member may retire from the active apostolate for reasons of age or ill health after consulting with the Provincial Director and receiving his approval. Policies governing retirement are contained in the Provincial Norms and Guidelines.

## TITLE II APOSTOLATE

19. The apostolate of the Province is to continue the spirit and zeal of Saint Gaspar, his successors and our own predecessors. The Province is open to every area of service according to the current needs of the Church in accordance with our charism and is ready to explore new avenues of service as they arise. A mission of the Province may be established or suppressed only by an act of the Provincial Assembly safeguarding the requirements of S45 of the Normative Texts.
20. The Provincial Director after consulting his Council assigns individual members to the apostolate as well as accepting or suppressing works of the apostolate.
21. A member's age, health and competence for a specific work of the apostolate shall be given consideration in determining both his assignment and his place of residence.
22. All assignments to an apostolate are reviewed periodically by the Provincial Director in consultation with his Council.

## TITLE III FORMATION AND INCORPORATION

23. In the Province, a Director of Formation and Director of Vocations are to be appointed by the Provincial Director with the consent of his Council. The same person may hold both offices.
24. The Director of Formation is assisted in his work by the Vocation/Formation Committee which functions according to the guidelines contained in the Program of Formation.
25. To actively promote the growth of the Province each member should feel impelled to foster vocations by his prayer, word and example. Every priest member shall offer at least one Mass yearly for vocations. All other members are encouraged to participate in at least one such Mass.
26. The detailed norms governing all levels of formation are contained in the Program of Formation drawn up by the Vocation/Formation Committee and

approved by the Provincial Director with the consent of his Council.

27. The detailed norms governing incorporation are contained in the Program of Formation. A candidate's entrance into special formation is celebrated with a special rite.
28. Safeguarding the prescriptions of the Normative Texts, before the Provincial Director can authorize the permanent transfer of a member of another province to the Atlantic Province, he must first consult the members of the Province.

#### TITLE IV

#### DISMISSAL FROM THE CONGREGATION

29. The Provincial Director, becoming aware of a member who is acting contrary to the Norms and Statutes of the Province, in a grave and persistent manner, may choose to initiate the proceedings for dismissal of the member. These statutes are governed by

- a) the *Code of Canon Law* (1983), Canons 964-704 and Canon 746;,,
- b) the *Normative Texts* (2008), Articles C41, S21, S24;
- c) the *Vademecum* handbook (2008), Pages 9 and 10.

The Provincial is to make every possible effort to reconcile the member to the life he has promised as a definitively incorporated member. If this effort fails, even after the enlistment of others, (friends, other members) he is to consult with his Council and contact the Moderator General of the possibility of the process.

30. The Provincial is to apprise his Council of the reason for seeking dismissal and the proofs for his request and seek its advice before deciding to initiate the process. He is to make sure that there is documentation of this meeting as well as his primary meeting with the member in question.
31. In the presence of two witnesses or in writing, the Provincial admonishes the member for the grave violation, warns him to remedy his behavior, reminds him of the canonical ramifications, and advises the member of the right to defense.
- a) If the warning is given verbally, a written account should be drawn up and signed by the Provincial and the two witnesses. The Provincial can take appropriate measures to assist the member in remedying his behavior, i.e.: a change of residence or apostolate;
  - b) If it is not possible to speak with the member who is under investigation,

letters of warning should be sent by registered mail or its equivalent so that there are receipts as evidence that the warnings have been sent;

c) In the event that the address of the member is not known, such warnings are to be posted in the last house in which the member was assigned and resided.

32. If there is no evidence of improvement at the end of 15 days, a second warning is issued by the Provincial (following the same procedure as the first).
33. If the second warning goes unheeded, the Provincial, together with his Council, decides on the incorrigibility and insufficient defense on the part of the member.
34. After the second 15 day period has elapsed, the Provincial and Council vote to dismiss and he then sends the acts of the case signed by himself and a notary (Provincial Secretary) with any defense signed by the member to the Moderator General. (Canon 698 states that the member may send his own defense directly to the Moderator General.)
35. It is then the decision of the Moderator General with his Council to vote and send all materials to the Holy See for their confirmation. The Moderator General will send a decree of dismissal to the Provincial. The member must receive the decree for validity which may be different from accepting it. The member has the right of appeal to the Holy See once he has received the decree of dismissal within ten days.

## TITLE V GOVERNMENT

36. Safeguarding the norms of common law and the policies of the Normative Texts, and in accord with its own traditions, the Atlantic Province is open to establishing a ministerial presence outside the United States and Canada.
37. Only the Provincial Assembly has the authority to define, amend, interpret or suppress a Provincial Statute, or to add new ones. In case of doubt in interpretation of any Provincial Statute, the Provincial Director with the consent of his Council is to make a temporary decision until a judgment is made in the next provincial assembly.
38. Safeguarding the provisions of Common Law and the Normative Texts, any member who has been definitively incorporated for at least five years is eligible for the office of Provincial Director. He is elected to a term of four years, renewable once, consecutively. The Provincial Director may be elected to a third term upon receiving a two-thirds majority vote on the first ballot.
39. The Provincial Director aided by his Council is responsible for administering

the Province when the Provincial Assembly is not in session. The Provincial Director, however, cannot enact policies contrary to these Provincial Statutes or contrary to a decree of a Provincial Assembly.

40. In the event of the resignation, death or total incapacitation of a Provincial Director or a member of the Council, if the remaining term of office of the Provincial Director is less than one year, the Vice-Provincial finishes the term without an election. If it is more than a year, an election must be called within three months and a new Provincial Director elected safeguarding the norms of Common Law and the Provincial Statutes. The same procedure is to be followed for a vacant seat on the Council. If the new Provincial Director is elected from the Council, that member of the Council must also be replaced by election at that time.
41. If the Provincial Director wishes to resign from his office, he is to inform the Council and seek their advice, before informing the Moderator General.
42. The Provincial Council assists the Provincial Director in carrying out his responsibilities and administering the ordinary affairs of the Province in accordance with Common Law, the Normative Texts and the Provincial Statutes.
43. The Provincial Council consists of three members, elected as first, second and third Councilors. Safeguarding the norms of Common Law and the Normative Texts, the first Councilor shall be the Vice Provincial Director. The Provincial Secretary and the Provincial Treasurer will be appointed from within the Council or the Province at large.
44. Safeguarding the norms of Common Law and the Normative Texts, every definitively incorporated member of the Province is eligible for election to the Provincial Council.
45. Members of the Provincial Council are elected for a four year-term, renewable once, consecutively. A Provincial Councilor may be elected to a third term upon receiving a two-thirds majority on the first ballot.
46. The Provincial Council normally meets four times a year. The Provincial Director may call a meeting of the Council whenever business warrants. A council meeting may also be called when two or more members of the Council request such a meeting. To transact business validly, a quorum of two members of the Council must participate in the decisions. Decisions of the Council have deliberative or consultative voice according to the prescriptions of the Provincial Statutes and the Normative Texts and are to be communicated to the members.
47. All appointments to Director of Provincial Offices and Committees are open to definitively incorporated members and are made by the Provincial Director with the consent of his Council. All such appointees may be removed at any time by



the Provincial Director with the consent of his Council. Such appointments are, however, automatically vacated at each Electoral Assembly and are subject to re- appointment by the new provincial administration.

48. The following are the Provincial Offices:

- Provincial Secretary;
- Provincial Treasurer;
- Director of Formation;
- Director of Vocations;
- Mission Director;
- Archivist;
- Delegate to the Union of the Blood of Christ.

49. The Provincial Secretary puts in writing the minutes of every Council meeting of the Province and conducts all official correspondence for the Province.

50. The Provincial Treasurer administers the economic affairs of the Province. Every year he will make a detailed report of the financial status to the members of the Province. The Provincial Treasurer may not alienate goods without the permission of the Provincial Director and his Council, use them in any other way, make contracts or borrow money in the name of the Province. The Provincial Treasurer is also to ensure that the treasurer in each residence is diligent in fulfilling his duties. In all financial matters, the advice of the Provincial Treasurer is to be sought and his judgments given serious consideration.

51. The Director of Formation is appointed and exercises his office according to the norms of the Provincial Statutes, Title III, 24-26.

52. The Director of Vocations is the animator within the community and promoter outside the community of vocations.

53. The Mission Director exercises his office with the assistance of the Mission Committee according to the norms contained in the Provincial Norms and Guidelines approved by the Provincial Assembly.

54. The Archivist is appointed by the Provincial Director with the consent of his Council. He will perform his duties and responsibilities as approved by the Provincial Assembly.

55. The Provincial Director is *ex-officio* the Regional Director of the Union of the Blood of Christ. He may, however, delegate this office to another member of the Province. The Director's duties are determined by the Regional Statutes of the Union which form part of the Provincial Norms and Guidelines.

56. Local Directors are appointed by the Provincial Director after consulting his Council and the local community. Safeguarding the prescriptions of Common Law and

the Normative Texts, Local Directors must be definitively incorporated in the Congregation for at least three years. The Local Director has the authority granted to him by Common Law, the Normative Texts and the Provincial Statutes, carries out local community policy, and oversees the needs of the local community.

57. The house congressus is composed of all the members residing in a Mission House or residence. The local congressus annually elects a treasurer and secretary who may be the same person. The treasurer is responsible for the financial administration of the local residence and for submitting the required financial statements approved and signed by the local congressus. The secretary records the minutes of the house congressus and is responsible for the archives of the Mission House or residence.

58. The house congressus gathers periodically or as the need arises. The congressus is called by the local director even at the request of one member.

59. The following Permanent Committees are to be established in the Province which function according to their respective documents contained in the “*Atlantic Province Official Documents*” binder of the Congregation of Missionaries of the Precious Blood:

- The Vocation/Formation Committee whose Chairman is the Director of Formation;
- The Mission Committee whose Chairman is the Mission Director;
- The Investment Committee whose Chairman is the Provincial Treasurer.

The Provincial Director and his Council may appoint additional committees *ad hoc*. The Provincial Director is an *ex-officio* member of all provincial committees.

## SECTION II

### THE ASSEMBLIES

60. All delegates to the General Assembly are to be elected at large by universal suffrage expressed personally in a Provincial Assembly or by mail, according to the specific norms determined by the rules of procedure for electoral assemblies. The next highest name(s) in the election of delegates will automatically serve as substitute(s) for the elected delegate(s).

61. The Provincial Assembly, the supreme authority in the Province, is conducted according to the prescriptions contained in the Normative Texts and these Provincial Statutes.

a) A Provincial Assembly:

i) must be convened at least bi-annually either as an Electoral and/or

Business Assembly;

ii) all definitively incorporated members of the Province who have both active and passive voice have the right and duty to participate in it;

iii) to transact business or conduct elections validly, a quorum of an absolute majority of the members must be present and voting;

iv) non-member experts may be called for consultation.

b) In those urgent cases which require action by the Provincial Assembly, when the Provincial Director with the consent of his Council, deems it impossible to convene such an Assembly, the members may be polled for their vote by regular or hand-delivered mail.

62. The Provincial Director, after consulting his Council, establishes the time and place of the ordinary Provincial Assembly. An extraordinary Provincial Assembly must be called if either a majority of the members of the Province requests it, or the Provincial Director with the consent of his Council requests it.
63. The announcement of the ordinary Provincial Assembly must be given at least six months before the proposed date by an official letter from the Provincial Director to all the members. Any member unable to attend the Provincial Assembly must notify the Provincial Director as soon as possible.
64. Three months prior to an ordinary Assembly, the Provincial Director and his Council will propose the agenda and invite the members to send in any suggestions they wish to add within the time limit established in the same letter. The Provincial Director and Council will then select and clarify the suggestions and prepare the agenda which will be sent to all the members.
65. The following topics are to be included on the agenda of the Provincial Assembly:
- The reading of the Provincial Statutes pertaining to the electoral and/or business assemblies;
  - Final approval of the agenda;
  - The election of two tellers;
  - The written report and comments of the Provincial Director;
  - The written report of the Provincial Treasurer;
  - The written reports of the chairmen of the Permanent Committees, and, if necessary, any *ad hoc* Committees;
  - The written report of the Regional Director of the Union of the Blood of Christ;
  - The written report of the Archives;
  - The selection of the recipient(s) of the annual allocation of funds for the needy, especially C.P.P.S. In years when there is no assembly, the last item is done by the

Provincial Director and his Council.

66. The Provincial Director presides over the Electoral and Business Assemblies. In his absence the Vice-Provincial Director presides.
67. The Provincial Secretary serves as the secretary of the Provincial Assembly. He may be assisted in his duties by recorders.
68. The affairs of the Provincial Assembly are ordinarily decided by a secret ballot with an absolute majority of those present and voting unless the Assembly requires a greater majority for a particular motion. For an Electoral Assembly, those who are unable to attend have the right to submit absentee ballots. Such ballots are counted only in the first, valid vote. Having insured the validity of the vote, in order to preserve the secrecy of the absentee ballot(s), the tellers open them and count them together with the votes of those present at the Assembly.
69. The number of votes cast must correspond to the number of voting participants, or the ballots are null and void. The majority of the vote is reckoned on those present and voting.
70. Minutes of each day of the Assembly will be recorded and submitted for the approval of all members present at the opening session of the following day. The acts of the Provincial Assembly, signed by the Provincial Director and the Provincial Secretary, will be sent to all members of the Province after confirmation by the Moderator General and his Council.
71. In an Electoral Assembly, both the Provincial Director and his Council are to be elected.
72. Three months prior to the Assembly, there will be a nominating ballot for Provincial Director conducted through the mail. Those nominated have the right to decline the nomination to the Provincial Director and his Council in writing. Those who have been nominated also have the opportunity to withdraw their name prior to the approval of the agenda. Additional nominees may be submitted when the agenda of the Provincial Assembly is approved as well as prior to the time of the election.
73. Those nominated for the office of the Provincial Director should give a statement of their vision for the Province to the Assembly followed by an open discussion.
74. The Provincial Director is elected on the first ballot by a two-thirds majority; on the second ballot by an absolute majority; and on the third ballot, the candidates will be restricted to the two who received the most votes on the second ballot, and an absolute majority is required. In the case of a tie on the third ballot, the member definitively incorporated first is elected, and if the incorporation occurred on the same date, the oldest by age is elected.

75. The Councilors are elected with separate ballots. For the first two ballots in each election, an absolute majority is required; for the third ballot, the procedure as indicated in Article #74 of the Provincial Statutes is followed.
76. When the election is completed and recognized as valid by a two-thirds vote of the Assembly, the chairman asks the one elected if he accepts. If the one elected is the chairman, the interrogation is made by the Provincial Secretary. If the elected accepts, he immediately assumes the office.
77. If the Provincial Director-elect or a Councilor-elect is not present at the Assembly, the Chairman and the Provincial Secretary must immediately notify him of his election. Meanwhile, the Assembly is suspended until such time as the intent of the person elected is made known. If, for any serious reasons, he does not accept, he must decline the election to the Chairman and Provincial Secretary. The members present at the Assembly then proceed to another election according to the norms of the Provincial Statutes.

### SECTION III

#### Formal Recognition and Adoption of Canadian Non-Share Capital Corporation and Election of Directors

- The members of the un-incorporated Community are known as the “Missionaries of the Precious Blood, Atlantic Province.” The Provincial Assembly of the Missionaries of the Precious Blood, Atlantic Province, have, over the years, caused to be incorporated under the laws of the dominion of Canada, three(3) separate non-share capital Corporations as vehicles for the purposes of furthering the objectives of the Community, which objectives have been incorporated in the forming charters of such Corporations under the names of “Society of the Precious Blood, Atlantic Province”, “Missionaries of the Precious Blood, C.P.P.S. Mission Projects” and “Merlini Study Centre.”
- The members of each of the Corporations shall at all times be those members as are authorized by the Letters Patent and By-Laws of each such Corporation and shall, to the greatest extent possible and allowable by law, be limited to the Provincial and the Council of the Community, as may be elected from time to time.
- In order to carry out this objective, the existing directors and members of each of the Corporations shall accept into its membership the newly-elected Provincial and Council of the Community, immediately upon their election, and the existing directors and members of each of the Corporations shall immediately tender their resignations.

- The newly-elected Provincial and Council, acting as the new members of each of the Corporations, shall immediately convene a meeting to elect from among themselves the requisite number of directors as may be mandated by the by-laws governing the Corporations.
- As required by Canadian Law, the majority of the directors of each of the Corporations shall be “Resident Canadian.” Accordingly, the Community shall elect from among its membership such number of nominee Resident Canadians sufficient to make the majority of the directors of each of the Corporations “Resident Canadian” and such Nominee Resident Canadian Directors shall have the same powers, rights and privileges as the remaining directors of each of the Corporations.