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I CUSTOM

1

No particular custom can abrogate or modify Divine Law and accepted Liturgical practice nor can a custom prejudice the Constitution of the Polish National Catholic Church. Nor can a custom go against ecclesiastical law.

INTERPRETATION

Custom may be considered in two ways, as a fact, and as a law. As a fact, custom means a practice or way of acting which is common in a certain community. As a law, it means a legal norm or law introduced by such a practice. The latter would have no implication on a Diocesan level except that in order to make a custom law it would have to be presented to a General Synod of this Church.

Particular custom of which we are concerned here would mean one which is adapted or originated within a parish or deanery or by the Diocese itself.

2

A custom which is expressly reprobated by the law is not a reasonable custom.

INTERPRETATION

This Canon is self-explanatory.

3

In order for a custom to be made law within the Diocese it must:

1) receive the consent of the Diocesan Bishop;

2) be reasonable and

3) be lawfully prescribed by a continuous and uninterrupted usage of at least forty years duration.

INTERPRETATION

This Canon is self-explanatory.

II DISPENSATIONS

4

Dispensations, which is the relaxation of a law in a particular case, can be granted by the Diocesan Bishop, and by those whom he has delegated.

INTERPRETATION

Definition - The reason for dispensation is clearly stated by St. Thomas: "Dispensation, properly speaking, denotes a measuring out to individuals of some common good; thus the head of a household is called the dispenser, because to each member of the household he distributes work and necessities of life in due weight and measure. Accordingly, in every community a man is said to dispense, from the very fact that he directs how some general precept is to be fulfilled by each individual. Now it happens at times that a precept which is conducive to the common good as a general rule is not good for a particular individual, or in some particular case, either because it would hinder some greater good, or because it would be the occasion of some evil. But it would be dangerous to leave this to the discretion of each individual, except perhaps by reason of an evident and sudden emergency. Consequently, he who is placed over a community is empowered to dispense in a human law that rests upon his authority, so that, when the law falls in its application to persons or circumstances, he may allow the precept of the law not to be observed."

5

From the General Laws of the Church and enactments of the General Synods the Diocesan Bishop cannot grant dispensation without the understanding of the Prime Bishop.

INTERPRETATION

Authority to grant dispensation of the Diocesan Canon Law rests solely with the Diocesan Bishop or to anyone he deems or regulates to grant said dispensation. However, dispensation of Constitutional Law or the enactments of the General Synods of the Polish National Catholic Church should not be done without knowledge of the Prime Bishop.

6

The Diocesan Bishop may grant dispensation of any Diocesan Canon.

INTERPRETATION

As stated, the Diocesan Bishop may grant dispensation for any Diocesan Canon if just cause is shown.

Pastors cannot dispense either Constitutional Laws or enactments of the General Synods of this Church nor from the Canon Laws of this Diocese. By custom introduced from time immemorial, pastors can dispense their parishioners in individual cases from the fast and abstinence and from the law forbidding servile work on Sundays and holidays of obligation.

INTERPRETATION

Pastors may within their own parishes, dispense individuals or families from the observances of feasts, fasts and abstinence in accordance with this Canon.

Dispensations from the law of the Church or Diocese should not be given without a just and reasonable cause, which should be in due proportion to the gravity of the law from which dispensation is granted. Dispensations granted by an inferior without just cause are both illicit and invalid.

INTERPRETATION

St. Thomas writes: If he who is placed over a community grants this permission without any such reason, and of his mere will, he will be imprudent, unfaithful, if he has not the common good in view; imprudent, if he ignores the reasons for granting dispensations.

III OBLIGATIONS OF CLERGY

Both the interior and the exterior behavior of the clergy must be superior to the laity and excel them by the example of virtue and good deeds.

INTERPRETATION

This is the primary and fundamental obligation of priests. Their example will be more powerful than their preaching. Their holiness must be interior and exterior.

The Ordinary must take care, that they make each day a meditation of some duration and examine their conscience.

INTERPRETATION

A time should be set aside by each priest daily where he may meditate or pray or read inspirational material. The Bishop should ascertain that all priests under his jurisdiction are in compliance with this Canon.

11

All clergy must at least once a year make a retreat for a length of time to be specified. No one shall be exempted from the retreat, except in a particular case, for a just reason, and with the permission of the Ordinary.

INTERPRETATION

Priests of the Buffalo-Pittsburgh Diocese are required to attend the retreat each year. Those who cannot must receive exemption from the Bishop Ordinary.

12

The Diocesan Clergy Conference shall be held twice a year. Deamery meetings should be held once a year in each deanery.

INTERPRETATION

There shall be at least two Diocesan Clergy conferences held each year. All priests are required to attend these conferences and to remain for the duration unless special exemption is acquired from the Bishop prior to the meeting. Emergencies will of course exempt this Canon.

Deamery meetings shall be held once a year and shall follow the same outline as that of a Diocesan Conference. If a priest cannot attend a Deamery meeting exemption must be obtained from the Dean of the deanery.

13

Clergy are under obligation to daily keep a prayer life or a period of meditation.

INTERPRETATION

Refer back to Canon 10. This Canon subjects the priest to have a daily prayer life.

14

Clergy must abstain from all things that are unbecoming their state: they must not exercise unbecoming arts.

INTERPRETATION

The following activities are forbidden as unbecoming:

- 1) Disreputable occupations, of which tavern-keeping is the stock example;
- 2) Habitual gambling for money;
- 3) Carrying weapons, unless reasonably necessary;
- 4) Habitual hunting, golfing, bingo or any avocation which would hamper ones duties, including part time jobs.

15

Clergy must keep away from such performances, dances and shows which are unbecoming to the clergy and where it would be scandalous to see them attend these.

INTERPRETATION

The priest should use prudent discretion in regards to this Canon. He should always remember who and what he represents.

16

Clergy are forbidden to be absent from their diocese for a notable length of time without the permission of the Bishop.

INTERPRETATION

This Canon is added so that priests may not leave their parish unattended for any great length of time. The time limit, which may include vacations of any great length of time, should be expressed to the Dean or the Bishop so that they be aware of the situation.

17

All priests are bound by a special obligation to show reverence and obedience to the Bishop Ordinary.

INTERPRETATION

In his letter to the Magnesians (ca. A.D. 110) St. Ignatius of Antioch writes, "It becomes you not to presume on the youth of the bishop, but to show him all reverence in consideration of the authority of God the Father: just as even the holy presbyters, so I have heard, do not take advantage of

his outwardly youthful appearance, but yield to him in their Godly prudence: yet, not to him but to the Father of Jesus Christ, the Bishop of all."

Just as each priest expects reverence and obedience from his parishioners so he must also show the same to his Bishop whether in public or private. He should also instill this within his parishioners.

18

It is incumbent upon the clergy that they keep sacred appointments spotless and in good appearance.

INTERPRETATION

Since the sacred appointments either reserve, contain or hold the Sacred Body and Blood of our Lord Jesus Christ their appearance must not be unsightly. Therefore, the clergy are charged with the responsibility of keeping the Sacred Appointments immaculate. Certain Sacred Appointments require constant care and cleanliness, such as chalice, paten, ciborium, intinction cup and Intinction. The other Sacred Appointments, such as monstrance, luns and holy oil stocks, should be cleaned periodically.

Good appearance is defined by this Canon to mean that the gilding should not be eroded or pitted and that neither should they be scratched, dented or in poor condition.

It is the duty of the pastor to inform the parish or Parish Committee when, in his opinion, any Sacred Appointment must be re-gilded, repaired or replaced. The expense incurred is the responsibility of the Parish.

19

It is the obligation of the clergy to oversee the proper care of vestments and all church linens.

INTERPRETATION

The exterior appearance of the clergy and the interior appearance of the Sanctuary must be in harmony with the spotless offering being celebrated upon the Altar.

The vestments, the undergarments, worn over secular clothing, should not be worn-out, faded, torn or stained. The clergy must remember that liturgical vestments express the nature of the occasion.

All linens used in the Sanctuary must be clean, pressed and starched where applicable. Worn-out, patched or torn linens cannot be tolerated.

It is the duty of the pastor to inform the parish or Parish Committee when, in his opinion, any vestment must be cleaned, repaired or replaced. In regards to church linens the pastor must notify the appropriate society or

individual when they need to be cleaned, repaired or replaced. The expenses incurred is the responsibility of the parish or proper society.

20

The only proper means of disposal of Blessed and or Consecrated articles are burning and or burial.

INTERPRETATION

It should be noted that any article burned the residue thereof must be buried in an out of the way place. For those articles that are to be buried, this must also be done in a secluded area.

IV ECCLESIASTICAL OFFICES

21

An ecclesiastical office, (Pastor, Administrator, Assistant Pastor) cannot be obtained without a canonical appointment. By ecclesiastical or canonical appointment is understood the conferring of an ecclesiastical office by the Diocesan Bishop, according to the Constitution of the Polish National Catholic Church. (Article IX Section 2; Article XVI Section 2; Article XIV paragraph B, Section 1 and paragraph C Section 1).

INTERPRETATION

This is simply a restatement of what is found in the Constitution of the Polish National Catholic Church.

It should also be taken under consideration that this Canon can only be true to form, when referring to Article XVI Section 2, if there is an abundance of priests and a few vie for the same parish. The final decision of placing a pastor remains with the Diocesan Bishop.

22

An ecclesiastical office which becomes vacant in the Dioceses should first be offered to the clergy of the Diocese.

INTERPRETATION

This Canon simply states that parishes which are vacated by their pastor should be offered by the Bishop to the other priests of this Diocese before he accepts priests from other Diocese as pastor for said parish.

23

Appointment to any office should be made in writing.

INTERPRETATION

The Diocesan Bishop appoints pastors for parishes by letter.

V DIOCESAN BISHOP

24

The Bishop must urge the observance of the laws of the Church and he cannot dispense with the Constitutional law without the understanding of the Prime Bishop.

INTERPRETATION

When we speak of dispensations we mean a release or relaxation of a Constitutional law or from a liturgical practice or sacrament. The Bishop Ordinary of course because of his position can dispense from the Canon law of this Diocese.

Dispensations from Constitutional law should not be given without the understanding of the Prime Bishop. However, in cases where serious problems may arise the Diocesan Bishop should have the authority to grant dispensation and then inform the Prime Bishop. The problems should be serious enough so that if a delay in consulting with the Prime Bishop arises the Diocesan Bishop may act accordingly.

As mentioned earlier in this Canon Law book the quote of St. Thomas, this is not a new concept but rather an historical and traditional design. If the Diocesan Bishop is the "Father" of the diocese he should therefore have the authority which is designated the head of the house. Roman Canon Law allows for this kind of dispensation within the Diocese. We quote: "Ordinaries other than the Roman Pontiff cannot dispense from the general laws of the Church, even in particular cases, unless (1) this power has been conceded to them explicitly, or (2) recourse to the Holy See is difficult, while there is danger of grave harm in delay, and the case is one in which the Holy See usually dispenses."

We must also explain what is meant by "grave danger." Grave danger is everything considered where a probable danger of grave harm is feared. The harm may be private or public, physical or moral, or economic and financial. We do suggest that it be left to the prudent discretion of the Ordinary to decide whether such danger exists.

25

The Bishop can everywhere in his diocese exercise the pontifical functions. To exercise the pontificals means to perform those functions in which according to the laws of liturgy the use of the pontifical insignia of the crozier and mitre is demanded.

INTERPRETATION

This Canon is self-explanatory.

26

The Bishop must visit at least part of his diocese annually so as to cover the entire diocese at least once in three years in person.

INTERPRETATION

The purpose of the visitation is to preserve sound doctrine, to protect right morals and correct evils, to promote peace, piety, and discipline among people and clergy, and otherwise to provide for the welfare of religion.

One would have to assume that the Bishop's visitation to a parish for a specific purpose, such as Confirmation, Funeral, etc., would constitute a canonical visitation.

27

In his own diocese, the Bishop precedes all coadjutor, auxiliary bishops, and vicar generals.

INTERPRETATION

This Canon is self-explanatory.

VI SENIORS

28

(1) Above the duties specified within the Constitution of our Church the Senior, (Dean), is to watch over the clergy of their district in order that they live according to the laws of the Church, keep residence, attend to preaching and instruction of the children and the adults and fulfill their duty towards the sick and infirm; (2) to see to it that they fulfill the decrees and orders of the Bishop; (3) to see to it that the rules concerning the keeping of the Blessed Sacrament are observed; (4) that the Churches and whatever is used for Divine worship are kept in proper condition, that the laws of liturgy are observed in the Divine Services, that the Church property is properly and faithfully administered.

INTERPRETATION

This Canon is self-explanatory.

29

It is the Senior's duty to see to it as soon as he hears of the serious illness of any clergyman of his district, that such a priest receives the necessary spiritual and temporal assistance and in case of death, a becoming burial. He has, moreover, the duty to watch that during the illness and after the death of a pastor the books, documents, sacred appointments and other objects belonging to the parish are not lost, or taken away.

INTERPRETATION

This Canon is self-explanatory.

VII PASTORS

30

The functions reserved to the pastor, are the following:

- 1) To Baptize solemnly.
- 2) To administer the Holy Viaticum, whether publicly or privately and to give Holy Unction.
- 3) To announce the marriage banns. To perform marriages and to give the nuptial blessing.
- 4) To perform the funeral services of his parishioners unless they themselves selected before their death another Church for burial.
- 5) If local custom warrants to bless houses at the prescribed times of the year as indicated in the ritual of this Church.
- 6) To bless the Baptismal Font on Holy Saturday.
- 7) To administer the Sacrament of the Word of God on Sundays and Holy days of obligation.
- 8) To carry the Most Blessed Eucharist publicly to the sick in his own Parish.
- 8) To properly prepare and instruct those who are to receive either Baptism, Holy Eucharist, Confirmation and Matrimony.
- 10) To insure that all Sacred Appointments

are of precious metals and in good appearance.

INTERPRETATION

Functions here mean ecclesiastical ministrations; they are said to be reserved to the pastor in the sense that the pastor has the exclusive right to perform them; no one else may do so without his permission.

Rather than enumerate each of the functions let us simply state that it is the prerogative of the pastor to perform all of the functions. If guest clergy are desired by the person or his family the guest clergy will follow the wishes of the Pastor.

In case of an emergency, however, any priest may administer the necessary sacraments to the person.

In the case of the announcement of marriage banns if the couple come from two different parishes, both pastors will announce the marriage banns. The officiating priest will be the one in whose church the marriage is being solemnized.

Visiting clergy must honor the local customs and traditions of the parish unless they are contrary to Christian traditions, Constitutional Law or Canon Law of the Buffalo-Pittsburgh Diocese.

31

The pastor assumes the care of souls from the moment of taking possession. The rite of installation or custom should include the Profession of Faith by the Pastor.

INTERPRETATION

It should be generally accepted that a pastor takes possession of a parish upon the day of his arrival. However, Park in his "Homiletic and Pastoral Review" states that some act of taking possession is required for the validity of the pastor's acts. We must also take into consideration that the pastor should take possession of the parish on the date which is specified in the letter from the Bishop.

The easiest way to resolve this situation is to follow local custom of the parish. In this way the pastor would take possession of the parish upon the date designated by the Bishop. If the parish custom is to have an installation then the Dean is to install the pastor as per custom. If this custom is not practiced in a parish it should be introduced quoting from the Constitution of the Polish National Catholic Church, Article XIII, Section 8, "They install Parish Pastors."

The profession of faith should be given by the pastor at this time, at the installation.

The pastor is obliged to live in the parochial house near his church. The Ordinary may permit him for a just reason to live elsewhere, provided the house is not so far away from the Church that the attendance to the duties of his office thereby suffers.

He is allowed to have a minimum of two weeks vacation in a year, either continuous or interrupted, unless the Ordinary restricts or prolongs that period.

The days spent in the retreat, clergy conferences, Synods or commission work do not count as part of the vacation.

While away from his parish the pastor must provide a substitute approved by the Ordinary.

If the pastor is obliged to leave his parish suddenly, on account of some very urgent reason, and must be away for over a week, he shall inform his Bishop of the facts and state what priest he left in charge of the parish.

Also in cases when the pastor is away from the parish for less than a week he must provide for the wants of the people, especially when the peculiar circumstances of the parish demand constant attention.

INTERPRETATION

Being that the constitution provides the pastor with a rectory the pastor should take his residence there. This Canon does provide for unusual circumstances in which the pastor may find the rectory unsuitable for habitation and with the permission of the Bishop may find residence elsewhere. The cost of this type of situation is to be absorbed by the Parish.

The remainder of the Canon deals with vacations and is self-explanatory. The primary theme is that a parish should not be left unattended. This does cause a problem in our Diocese due to the distances between some of our outlying parishes. In the case where there is no pastor relatively close some arrangements should be made where the closest pastor may be contacted in case of emergency.

Discretion should be used by the Pastor when taking his vacation so that if he has someone who maybe ill enough so that his demise is possible and said substitute pastor is in a outlying parish it may be prudent to cancel the vacation.

The secondary theme is that the Bishop Ordinary should be made aware of all absences from the parish by the pastor. In this case also pastors should inform their Dean.

Pastors are strictly bound to apply Holy Mass for their congregation on all Sundays and Holydays of obligation. The Feast days are the following: Christmas; New Year's; Epiphany; Easter Sunday & Monday; Ascension; Pentecost Sunday; Trinity; Corpus Christi; All Saints; Immaculate Conception,

Purification, Annunciation, Assumption and Nativity of the Blessed Virgin; Holy Innocents; St. John; St. Stephen; Bishop Francis Hodur, April 1st; Institution of the Polish National Catholic Church.

INTERPRETATION

The obligation of having Mass on the days listed is attached to the office and hence it is not excused by want or scarcity of revenue. It is attached to the day so that per se it must be fulfilled on the day itself; yet if it is not fulfilled on that day, it remains urgent and must be fulfilled as soon as possible thereafter.

It is personal, in the sense that if a personal fulfillment is impossible it must be fulfilled through another.

It is personal, in the sense that it must be fulfilled personally.

It is local, in the sense that as a rule it should be fulfilled in the Parish Church.

When a feast is transferred, the obligation is also transferred.

The Pastor, with the permission of the Bishop may transfer a feast to another day.

34

The Pastor must celebrate the Divine Services, administer the Sacraments to the faithful as often as they legitimately request it, get acquainted with the people, admonish the erring, assist the poor and the sick, and give his special care to the instruction of the children in the Catholic Faith.

INTERPRETATION

Divine services are defined as "Functions of the power of order which are established by Christ or by the Church for divine worship and which are to be performed by clerics alone." Hence they include Mass, Vespers, Benediction with the Blessed Sacrament, etc..

The chief duties of the pastor in this connection are:

- 1) Regarding Baptism: (a) to see that infants are baptized as soon as possible; (b) to see that the faithful are instructed how to confer baptism in case of necessity; (c) to see that worthy sponsors are chosen.

- 2) Regarding Confirmation: (a) to see that the faithful receive it in due time; (b) with permission of the Ordinary pastors may have the power to administer Confirmation to all persons, even infants, in their territory;

who are in danger of death from illness.

- 3) Regarding the Most Blessed Eucharist: (a) to see that children properly disposed receive the Divine Bread as soon as possible; (b) to exhort the faithful to receive frequently and even daily; (c) to see the Holy Viaticum for the sick be not too long deferred.

- 4) Regarding Penance: they are under grave obligation in justice to hear the confessions of their subjects whenever they ask reasonably.

- 5) Regarding Holy Unction: to see that the sick receive it while they are in full possession of their faculties.

- 6) Regarding Matrimony: (a) the pastor must not fail to give the people appropriate instruction; (b) before an individual marriage he must carefully investigate to see if there is any impediment; (c) he must announce the banns; (d) he must not perform the marriage of persons who are not of his parish without the permission of the Bishop; (e) he must instruct the parties as to the duties of married life.

- 7) Regarding the Word of God: (a) he must prepare the sermon so that it is instructional to his parishioners; (b) he must instruct and admonish them to read the Holy Scriptures.

Paternal care of his parishioners. First of all, he must know them; the parish census or register is the primary means towards this; if it is possible private visitations should be encouraged; he must prudently correct those parishioners who he knows are erring; embrace the poor and distressed with special paternal charity.

It is the duty of the pastor to safeguard the instruction of the children in regards to the Catholic Faith. This includes, First Holy Communion classes, Confirmation classes and School of Christian Living classes. It is wrong to leave this religious instruction of the children to people who are not prepared to teach. Therefore, the pastor should take great care in the selection of teachers for the School of Christian Living. If he finds himself in a position where there aren't any qualified teachers available he should conduct sessions to teach adults in the instruction of children.

A few days of special instruction before Holy Communion are not enough to train children properly for this step in their religious life. It is strongly suggested that the pastor instruct the children in the preparation for Holy Communion. The suggested time is one year.

The same holds true for Confirmation Classes. It is very important that the youth be instructed by the Pastor before they receive this Sacrament. The suggested time is two years.

The pastor must admonish his parishioners to attend their parish Church frequently and to participate in the reception of Holy Communion. He must emphasize that attendance at Mass on Sunday is an obligation and that it is a sin to omit. Though our Constitution would have one believe that attendance in Church and reception of the Body and Blood of our Lord Jesus Christ is only necessary once a year the pastor should stress the point that the people should attend every Sunday and receive the Sacrament as often as possible.

35

The pastor shall take special care of the sick, especially when they are dying, give them the Sacraments frequently, and commend their souls to God.

INTERPRETATION

This Canon is self-explanatory.

36

The pastor must watch that nothing shall be done against faith, morals or discipline in his parish, and he must advance the works of charity, faith and piety in the parish.

INTERPRETATION

The pastor must watch with care that nothing contrary to the faith, morals and discipline of the Polish National Catholic Church be taught in his parish; and he must foster or establish works of charity, faith and piety.

37

The pastor must keep the parochial records of Baptism, Confirmation, Marriage, and the Deceased. He shall take care to have the census book as correct as possible, and he shall keep these books with great care and according to the approved custom or the regulations of the Bishop.

In the Baptismal Record should be inserted a notice about First Holy Communion, Confirmation, Holy Orders and the Marriage. When issuing Baptismal Certificates these facts should always be mentioned in the certificate.

The pastor should have a parochial seal, as specified in the Constitution of the Polish National Catholic Church, and a safe place for the above-mentioned parochial books, where he should also keep other documents that may be useful or necessary to keep.

INTERPRETATION

It may be wise and prudent that the pastor have a safe and secure place in which registers and the seal can be kept. Also a reminder that these registers are not for public viewing and should therefore in some cases be locked up.

VIII DIOCESAN SYNOD

38

Each parish is obligated to send delegates to the Diocesan Synod, also all pastors are obligated to attend. If some impediment arises and is legitimate the Diocesan Bishop is to be notified of this impediment as soon as possible.

INTERPRETATION

This Canon is self-explanatory.

IX SOCIETIES OF THE FAITHFUL

39

The faithful deserve praise when they join societies which have been erected, or at least recommended by the Church. They should beware of societies which are secret, condemned, seditious or suspected and of those which strive to withdraw themselves from the legitimate supervision of the Church.

40

No society is recognized in the Diocese unless it has been either erected by the proper ecclesiastical authority or at least approved by it.

41

All societies are under the jurisdiction and vigilance of the Diocesan Bishop and the Bishop has the right and duty to inspect them.

42

Every Society shall have its statutes or constitution approved by the Supreme Council or by the Bishop of the Diocese.

Statutes or constitutions that have not been confirmed by the Supreme Council remain always subject to modification and correction by the Bishop.

43

For serious reason the Bishop of the Diocese can suppress societies which were erected either by himself or by his predecessor or by the Church. Recourse as allowed in the Constitution is available.

44

The Diocesan Bishop appoints chaplains for the Societies. A society may if it wishes suggest candidates to the Bishop.

45

In as much as the pastor is the authority on faith, morals and discipline of the parish, all societies of the parish also fall under this authority.

X THE SACRAMENTS

46

As all the Sacraments instituted by Christ our Lord are the principal means of sanctification and salvation, the greatest care and reverence should be employed in their suitable and proper administration and reception. It is forbidden to administer the Sacraments of the Church to heretics or schismatics, even though they are in good faith and ask for them, unless they have first renounced their errors and been reconciled with the Church.

INTERPRETATION

It must be remembered that the priest should always take great care that when he is administering the Sacraments it is done with great care and reverence. If we as priests do not show reverence for the Sacraments then how can we expect our people to do the same?

The second part of this canon has far-reaching importance. Each pastor has to assert that the recipient of any Sacrament is a believer and not as the canon states a heretic or schismatic. There should not be any problem as to making a decision if the person is of good health and able to attend Church. One may find problems when we try to apply this canon to the Sacraments of Penance and Holy Unction.

One has to judge that the person receiving the Sacraments of Penance and Holy Unction, if he has departed from the Church and then wishes to return to it, has repented and has in some manner made this known to the priest.

We say, "has made it known to the priest," in the event that the repentant is in the hospital and near death and asks or in some way makes it known that he wishes to receive Holy Unction that the priest can base a reasonable presumption that he adheres to the Holy Church.

It may be a safeguard that the Dean be advised of such a situation and what is the intention of the priest.

The Sacraments of Baptism, Confirmation and Holy Orders which impart an indelible character cannot be received a second time. If, however, there is a prudent doubt whether they have been conferred at all, or whether they were validly conferred, they may be conditionally repeated.

INTERPRETATION

This Canon confronts the priest mostly in the reception of converts from the various non-Catholic denominations. It is the question whether he should baptize conditionally, or whether he should consider the non-Catholic baptism valid. What constitutes prudent doubt is impossible to define satisfactorily by one universal formula. It depends not only on the various facts and circumstances, but also on the mental condition of the investigator, whether the doubt is reasonable and such as to justify conditional rebaptizing. Therefore, we must guard against excessive haste in forming a general conclusion as to the invalidity of baptisms conferred by non-Catholic denominations.

If the investigation of the particular baptism, and of the manner in which it was conferred, does not give such certainty as one naturally desires in a matter involving the gravest consequence, Baptism may be conferred conditionally.

In the celebration, administration and reception of the Sacraments, the Liturgical rites and ceremonies prescribed in the ritual and or by the National Liturgical Commission as approved by the Church must be accurately observed.

INTERPRETATION

Since there is nothing of greater importance in human life than the Divine Worship rendered by the Church through its ministers, the law naturally insists on the faithful and devout execution of the rules and regulations of the Ritual of the Polish National Catholic Church and those changes by the National Liturgical Commission approved by the Church.

If there should be any just reason to vary from the ritual, as in the Sacrament of Matrimony, the changes should be submitted to the Diocesan Liturgical Commission for approval.

The Holy Oils required in the administration of several of the Sacraments must have been blessed by the Bishop during the Holy Week immediately preceding, and the oils blessed previously are not to be used except in a case of necessity. If there is danger of the Holy Oils giving out, more virgin olive

oil which has not been blessed may be added even repeatedly, but always in quantity less than the Holy Oils.

INTERPRETATION

This Canon should be self-explanatory. If it should arise that the Holy Oils do not arrive on time during Holy Week for the blessing of the Baptismal Font or the Water, one should omit the ceremony of the mixing of the Holy Oils with the water and pour them in when he gets them; if, however, he has to Baptize someone, he shall use the old Oils for the blessing of the Baptismal Font. If the pastor has to confer Baptism before he can get the new Holy Oils, the anointings prescribed in Baptism shall not be omitted, but made with old Oils.

50

The pastor must obtain the Holy Oils from his own Ordinary, and keep them under lock and key in a safe and becoming place in the Church. Only under pressure of necessity or other reasonable cause may he keep them in his house, and in such a case he needs also the permission of the Ordinary.

INTERPRETATION

More convenience is no valid reason for keeping the Holy Oils in the pastor's residence, even where the rectory does not adjoin the Church.

51

Regardless of the reason or the occasion, the minister shall not either directly exact or ask for any remuneration for administering the Sacraments.

INTERPRETATION

We quote from the Canons of the Sixth Ecumenical Council, Canon 23: "Concerning the rule that no one, whether a Bishop, or a Presbyter, or a Deacon, that imparts of the Intemperate Communion shall collect from the partaker coins or any compensation whatsoever in exchange for such communion. For neither is grace bought, nor do we impart the sanctifying influence of the Holy Spirit for money; but, on the contrary, it must be imparted to the worthy without the incentive or kindness. If, however, any person enrolled in the Clergy should be found to be demanding compensation of any kind of him to whom he imparts of the Intemperate communion, let him be deposed from office, on the ground that he is votary of Simon's delusion and maleficence."

Also we refer to Apostolic Canon 29. "The grace of the Mysteries cannot be sold, nor do we impart the sanctification of the Holy Spirit for money, but, on the contrary, we impart it without being bribed to do so, to those who are worthy of it. For it is on this account that the divine communion is called among the masses the gift (or doxa), because, according to Balsamon, it is imparted without gifts. As for anyone that should do this, let him be deposed from office, as having become an imitator of the delusion and heresy of Simon

the Sorcerer, who thought that the grace of the All-holy Spirit could be sold for money."

According to Holy Scripture and the ancient Canons no price shall be placed upon the administering of any Sacrament. However, as local custom dictates a gratuitous gift maybe received by the pastor.

XI BAPTISM

52

Baptism - the door and foundation of all other Sacraments, the Sacrament which, if we are to attain salvation, must be either actually received or at least desired - is given validly only by ablution with truly natural water and the pronouncing of the prescribed form of words. Baptism administered with the observance of all the rites and ceremonies prescribed in the ritual is called solemn; otherwise it is called not solemn, or private.

INTERPRETATION

Nothing further needs to be stated here about the matter and form of Baptism because these subjects belong to the domain of Dogmatic and Moral Theology.

XII THE MINISTER OF BAPTISM

53

The ordinary minister of solemn Baptism is the priest. Its administration, however, is reserved to the pastor or another priest acting with the permission of the pastor or of the local Ordinary, which permission is legitimately presumed in a case of necessity.

INTERPRETATION

The right to confer Solemn Baptism is reserved to the pastor within the territory of his parish. Outside his territory he has no right to Baptize even his own parishioners. Though this problem does not arise often in our Church it is important enough to mention and to include within our Canon Law. This may resolve some problems which may arise with parishioners who live in an area where there are more than one of our Churches.

54

No priest is allowed, without due permission, to baptize solemnly even a resident of his own parish in the territory of another pastor.

INTERPRETATION

The Pastor's rights in reference to Baptism are limited to the territory of his parish so that he cannot go into another parish to baptize without permission a child of one of his parishioners who is staying temporarily outside his parish. This would also encompass those whose relatives live or belong to another parish.

55

The Deacon is the extraordinary minister of Solemn Baptism. He shall not, however, use his power without the permission of either the local Ordinary or the Pastor, which may be given for a just reason; when necessity urges, the permission is legitimately presumed.

INTERPRETATION

In Tertullian's work "Baptism" written between the years 200 and 206 A.D., he writes, "For the conclusion of our brief subject, it but remains to impress upon you the manner of observance in giving and in receiving Baptism. In giving it, certainly, the primary right is had by the high priest, that is, the bishop; and after him, the presbyters and the deacons, though not without authority from the bishop, on account of the honor of the Church, which, when preserved, peace is preserved." Tertullian's emphases is on the discipline of the early church when the bishop was the only one who could baptize. We should remember that the deacon should still receive permission of the Bishop of the Diocese to baptize.

The case of necessity in which the deacon can give Solemn Baptism with presumed permission, need not be an extreme case of necessity, but rather a common or ordinary case where Baptism could not be deferred without serious inconvenience or difficulty. It must be, however, a far more serious reason than a priest needs with the presumed permission of the proper pastor to baptize.

56

Private Baptism, may be given by anyone who uses the proper matter and form and has the right intention. Insofar as possible, two witnesses, or at least one, should be present, by whom the conferring of Baptism can be proved. A priest who happens to be present, shall be preferred to a deacon; a deacon to a subdeacon; a cleric to a lay person, and a man to a woman, unless decency demand that a woman be preferred, or the woman is more conversant with the form and manner of baptizing. The father or mother are not allowed to baptize their own child except in danger of death when there is no one else at hand who can baptize.

INTERPRETATION

Private Baptism may be given when the person to be Baptized is in danger of death; also when Baptism with all the ceremonies cannot take place without consideration, delay and there is danger of death without Baptism. Therefore, the situation could arise where a midwife would have to perform a private Baptism.

Private Baptism may be administered when the infant cannot without danger be brought to a Church on account of the distance, or other serious reasons.

The list of preference should be followed whenever possible.

57

The Pastor should take care that the faithful learn how to Baptize properly in case of necessity.

INTERPRETATION

Pastors should instruct the faithful on the seriousness and the procedure of administering Baptism. He should take special care that doctors, nurses and midwives in particular should be taught about Baptism.

XIII THE SUBJECT OF BAPTISM

58

The subject capable of Baptism is every living human being and such alone, who has not yet been Baptized. In connection with Baptism, the term parvulus or infans means one who has not yet the use of reason, and persons insane from infancy are regarded as equivalent to parvuli, no matter what age they may be.

INTERPRETATION

This Canon is self-explanatory.

59

An adult shall not be Baptized except with his own knowledge and consent and after due instruction. He is, moreover, to be admonished to repent of his sins. In danger of death, if he cannot be more thoroughly instructed in the principal mysteries of faith, it suffices for the conferring of Baptism that he manifest in some way his assent to these mysteries, and promise solemnly that he will keep the commandments of the Christian religion. If he cannot even ask for Baptism, but has either before or in his present condition given some probable manifestation of an intention of receiving it, he should be Baptized conditionally. If afterwards he gets well, and there remains doubt as to the validity of the Baptism, he shall be Baptized again conditionally.

INTERPRETATION

In an adult faith and sorrow for sin are required for the licit reception of the Sacrament of Baptism, but the intention to receive the Sacrament is

required for validity. Ordinarily the instruction in the principal points of faith must precede the Baptism of adults, and they must show that they believe and want to be Baptized before the priest is allowed to give them Baptism.

In extreme cases where neither instruction nor a manifesting of the intention to receive Baptism on the part of the sick person is possible, conditional Baptism is allowed.

60

Both the priest who Baptizes an adult be fasting, and that the adult Baptized be also fasting, if he is in good health. Unless grave and urgent reasons prevent it the Baptized adult should immediately after Baptism assist at Holy Mass and receive Holy Communion.

INTERPRETATION

We recall the ancient discipline of the Church according to which adults were, as a rule, Baptized on the eve of Easter and Pentecost, and immediately after Baptism, at midnight, Holy Mass was celebrated at which the newly Baptized were solemnly introduced to the assembled congregation, and were for the first time permitted to assist at the entire Mass and receive Holy Communion with the faithful.

There seems to be nothing objectionable to Baptizing the adult in the afternoon or evening and arranging that the Baptized person go to Holy Mass and Communion the next day or at least within a few days.

61

Baptism is to be conferred conditionally only where there is a doubt whether one has been Baptized or whether Baptism was validly conferred and doubt remains after serious investigation.

INTERPRETATION

It is prudent upon the pastor that a thorough investigation be made of whether a person was Baptized or the validity of the Baptism.

If doubt remains of the fact of Baptism after serious investigation and no record or witness can be found the person must be conditionally Baptized.

If the validity or the form and matter of a Baptism is questionable, after serious investigation, the person must be conditionally Baptized. An inquiry into the records and ritual of a Christian Church should make it possible to avoid conditional Baptism.

The form to be used for conditional Baptism is: "If you are not already Baptized....."

XIV OF THE RITES AND CEREMONIES OF BAPTISM

62

Baptism shall be given solemnly, except in the cases spoken of in Canons, 56, 59, 61 and 65.

INTERPRETATION

Solemn Baptism means Baptism with all the ceremonies of the Ritual. The exceptions to the rule are contained in Canon 56, 59, 61 and 65 which refer to Baptism in danger of death and the conditional Baptism of converts to the Church.

63

In Solemn Baptism water blessed specially for this purpose shall be used. If the water in the Baptismal Font is so diminished that it does not suffice, other common water may be added in smaller quantity than the remaining blessed water, and this may be done repeatedly. If the Baptismal water has become putrid, or has escaped from the font, or is lacking for any other reason, the pastor should have the font well cleaned, then put fresh water into it and bless it with the form prescribed in the Ritual.

INTERPRETATION

The Church insists that in all Churches the baptismal water be blessed on the Vigil of Easter. If it becomes necessary to bless the baptismal water outside of the Vigil of Easter the priest should refer to the ritual of the Polish National Catholic Church.

64

Baptism shall be conferred validly by infusion according to the Ritual of the Polish National Catholic Church.

INTERPRETATION

Though baptism is conferred in three different ways within the Christian Church; infusion, immersion and sper-sion, the Polish National Catholic Church uses infusion, the pouring of water over the head of the recipient.

65

In danger of death Private Baptism may be given. If it is administered by a person who is neither a priest nor a deacon, only that should be done which is necessary for the validity of Baptism. If a priest or a deacon baptizes, and time permits, he should perform the ceremonies which follow Baptism.

INTERPRETATION

Private Baptism may be given in case there is danger of death. It is important to realize that in such a case anyone may administer the Sacrament. We would refer back to Canon 56 as to the order of who can Baptize.

This Canon also states that if a priest is not present only that should be done which is necessary for the validity of Baptism. This would mean the actual infusion and form. Caution should be taken by the priest in such a case that he does not over tire the person to be Baptized.

If the Baptized survives, the Baptism should be completed as soon as possible.

XV CHRISTIAN NAME TO BE GIVEN IN BAPTISM

66

The pastor shall endeavor to see that the person Baptized receives a Christian name.

INTERPRETATION

Though the custom of assuming the name of a saint at Baptism cannot be traced back to the first few centuries of the Church, St. John Chrysostom and St. Ambrose urge the Christians of their time to adopt the beautiful practice of giving their children the name of one of the holy martyrs.

This practice has since fallen by the wayside and with the discretion of the pastor should be revived.

XVI SPONSORS

67

According to the most ancient custom of the Church, nobody shall be Baptized solemnly unless he has, whenever possible, a sponsor. Even in Private Baptism a sponsor should be procured, if it is easily possible; if there was no sponsor in Private Baptism, one should be procured in the supplying of the ceremonies, but in such a case he does not contract any spiritual relationship.

INTERPRETATION

Sponsors at Baptism are mentioned as early as the second century of the Christian era. Tertullian refers to sponsors of children and their serious obligation to see that the children grow up as true Christians.

Some authors think that Tertullian has reference to the sponsors of orphan children, for as late as the time of St. Augustine the parents seem to have taken the place of sponsors, as may be gathered from the Saint's words that the parents answer the questions at Baptism for their children. Caesarius of Arles (d. 542) speaks of sponsors of adults who are to give the converts before and after Baptism a good example of Christian life, and encourage them by word and deed in the practice of virtue.

68

When Baptism is repeated conditionally, the same sponsor shall, if possible, be employed as at the first Baptism; except in this case, there is no need of a sponsor in conditional baptism. In conditional repetition of Baptism neither the sponsor of the first nor the sponsor at the second Baptism contracts spiritual relationship, unless the same sponsor was secured on both occasions.

INTERPRETATION

Because of the spiritual relationship contracted in Baptism by the sponsor constitutes a diriment impediment of marriage, it is important to settle the question concerning the sponsor of a doubtful Baptism. If Baptism was doubtful so that one feels justified in conferring it again conditionally, neither the sponsor at the first nor the sponsor at the second Baptism contracts the spiritual relationship. If the same sponsor acts as such at both Baptisms, he contracts the spiritual relationship.

In private Baptism, it is easy to have one, a sponsor should be present. This does not impose a grave obligation. There has been a great controversy as to whether the sponsor in private Baptism contracted the spiritual relationship between himself and the person being Baptized. After much discussion over the centuries it was decided that in Private Baptism the sponsor does not in fact contract spiritual relationship with the Baptized.

69

There shall be but one sponsor, who may be either of the same or different sex from the person to be Baptized; two sponsors at most, one man and one woman, shall be employed.

INTERPRETATION

One sponsor, either a godfather or a godmother, suffices, but two, and no more, may be admitted. A priest would sin by admitting more than two, and he cannot allow them to be two men or two women, but only a man

and a woman; and in case where only one is to stand for the child, it may be either a man or a woman. It is regarded as a grave sin to Baptize solemnly without at least one sponsor, or with more than two; or to admit a sponsor not designated.

70

In order that a person may act validly as sponsor, the following rules apply:

- 1) He must be Baptized, have attained the use of reason and have the intention of discharging that office;
- 2) He must not belong to an heretical sect, nor have been suspended, nor suffer from infamy of law, nor (if a cleric) have been deposed or degraded from the clerical rank;
- 3) The father or mother or spouse of the person to be Baptized cannot be sponsors;
- 4) He must be designated either by the person to be Baptized or by the parents or guardians, or in their default by the minister of Baptism;
- 5) The sponsor must, either in person or through proxy, physically hold or touch the one Baptized, or receive him immediately after Baptism.

INTERPRETATION

To act as sponsor, the person must be validly Baptized. He must not have any of the impediments of sub-section 2 of this Canon. The intention to undertake the office of sponsor is of course necessary so that it is not sufficient if the adult to be Baptized or the parents or guardians of an infant request someone to be sponsor, but the person requested must manifest his consent and appear either in person or through a proxy appointed by him to assist at the Baptism and physically touch the person Baptized, as declared in the Canons.

Great care should be taken by the pastor that the sponsor does not belong to a heretical sect. One should take great care also to confirm the validity of the sponsors Baptism. It has been recommended that if some problem arise with the sponsors and the family or adult does not want to change sponsors that no sponsors be used. If such a case arises that no one can be present but the parents, they are to take the part of the sponsor, without however becoming sponsors. If the parents or the guardian appoint a sponsor who by the law of the Code cannot validly or licitly act as such, the

minister of Baptism is obliged to reject him, and if the parents or the guardians refuse to appoint another, the minister of Baptism must appoint a sponsor. A person who without a proper designation assumes to act as sponsor, does not become a sponsor, for, as stated in Canon 65, sub-section 4, the designation is one of the requisites for validity of sponsorship.

If the appointed sponsor cannot or does not wish to attend at the Baptism in person, he may appoint a representative (Proxy) to take his place. The sponsor himself must appoint his representative (Proxy), because the custom of leaving the appointment to the parents of the infant or the Baptizing Priest, the sponsor being unconcerned in the matter, makes the sponsorship doubtful. Such a custom must be abolished. The Canon does not lay down any restrictions as to the persons who may be appointed as proxies. There-fore, the only requisite is that he is capable of accepting the mandate and performing the material acts in the place of the sponsor. Though it is not becoming to appoint as proxies non-believers, suspended persons or others whom the Canon excludes from sponsorship, still the Canon does not forbid it. The name of the proxy is not entered into the Baptismal Record, but the name of the sponsor represented by the proxy.

The physical contact of the sponsor with the one Baptized in the act of Baptizing or immediately afterwards is necessary for valid sponsorship. It is not necessary, however, that the sponsor hold the infant: the parent may hold the child, the sponsors placing one hand on the child during the pouring on of the water.

71

For valid admission as sponsor, the following conditions must be observed:

- 1) The sponsor must be fourteen years of age, unless for a just reason the minister admits younger persons;
- 2) The sponsor must not be under suspension, nor excluded from legal acts, nor suffer from infamy of law for reason of a notorious crime, even though no sentence was pronounced against him, or disgraced by infamy of fact;
- 3) The sponsor must know the rudiments of the faith.

INTERPRETATION

An offense is notorious by notoriety of fact if it is publicly known and committed under such circumstances that it cannot be concealed by any artifice, in general, nor excused by any extenuating circumstances admitted in law. In general, the Code in Canon 71, sub-section 2, excludes from sponsorship persons who are guilty of a grave public offense which in the common estimation of respectable Christian men makes them so unworthy of the office of sponsor that

their admission would cause scandal. Catholics who belong to any forbidden society, and are notoriously known as members; likewise Catholics whose life is unchristian and scandalous are not worthy of becoming sponsors.

The Canon does not state whether the minister of Baptism may be simultaneously sponsor for the person he Baptizes. It would seem that there is no objectionable reason for such an occurrence. The minister would simply have to appoint a proxy.

72

In case of doubt whether one can validly or licitly be admitted as sponsor, the Pastor shall, if time permits, consult the Ordinary.

INTERPRETATION

This Canon is self-explanatory.

XVII SPIRITUAL RELATIONSHIP OF THE SPONSORS

73

The minister of Baptism and the sponsor contract a spiritual relationship from Baptism with the person Baptized only.

INTERPRETATION

As the Sacrament of Baptism is truly a spiritual regeneration, the idea of a spiritual fatherhood between the minister of Baptism and the person Baptized can be traced back to the very times of the Apostles. St. Paul calls Timothy, Titus and Onesimus his sons. Expressions like this: "by the Gospel I have begotten you," also occur. It was, therefore, quite a natural conclusion to which the various local councils of the early Church came, when they declared that there was a sacred bond or relationship between the Baptized and those who were instrumental in bringing about his regeneration. The spiritual relationship being considered more sacred than the natural bond of blood, a practice developed in the Church forbidding the marriage of persons between whom spiritual relationship existed. In the beginning there was no general law for the whole Church in this matter, but the various local councils passed decisions on the matter of the spiritual relationship and on marriage between spiritually related persons.

On October 30, 530, Emperor Justinian forbade in one of his laws marriage between the sponsors and the person Baptized. We see through history that the Canon had changed to include the spiritual relationship to include the parents of

the baptized and the Priest. This present Canon limits this spiritual relationship as stated.

XVIII DUTIES OF THE SPONSORS

74

In virtue of the office which they have accepted, it is the duty of the sponsors to take a lasting interest in their spiritual child, and to take good care that he leads a truly Christian life, as in the solemn ceremony they have pledged that he would do.

INTERPRETATION

The obligation of the sponsors is truly a moral duty, and it obliges the sponsors to act in case the parents are negligent in the spiritual education of the child. The duty of the sponsors does not cease when their godchild comes of age, for the Canon states "a lasting interest" or forever, and that they must take care that during his whole life he lives up to the principles of the faith. The primary responsibilities are:

- 1) Pray regularly for the godchild.
- 2) Cultivate the godchild's friendship, remember birthdays and special occasions with appropriate gestures.
- 3) They should be concerned with his or her religious education.
- 4) Encourage the child to attend Church Services, Mass etc., and when possible attend together.
- 5) To see that the child will be acquainted with and use the Bible and Prayer Book of the Church.
- 6) To keep track of the child's spiritual maturity.
- 7) To be aware of his or her eventual preparation for and reception of First Holy Communion and Confirmation.
- 8) To accompany the child as he or she receives the above named Sacraments.
- 9) Above all, to be practicing Christians themselves in order to be an example of virtue to the godchild.

XIX TIME AND PLACE OF BAPTISM

75

Infants shall be Baptized as soon as possible. Pastors shall often remind the faithful of this grave obligation.

INTERPRETATION

The meaning of "as soon as possible" cannot be determined with absolute exactness. In fact, the law does not want to specify the exact number of days for circumstances are so varied that a narrow law in this matter is not desirable. Therefore, it should be the responsibility of each pastor to instruct his parishioners on the proper time for Baptism of a child just born. The most common time set was that of thirty (30) days after the birth of the child.

76

Private Baptism may, in case of necessity, be given at any time and in any place.

INTERPRETATION

This Canon is self-explanatory. Refer back to Canons 56 and 65.

77

The proper place for the administration of Solemn Baptism is the Baptistry in a Church.

INTERPRETATION

This Canon is self-explanatory.

78

Solemn Baptism cannot be given in a private house except if the Ordinary with prudent and conscientious judgment should allow it in some extraordinary case where there is a just and reasonable cause.

In this case Baptism must be given in the private chapel of the house, or at least in a decent place, and Baptismal Water is to be used.

INTERPRETATION

Refer back to Canons 56 and 65. If permission is obtained from the Bishop Ordinary, the Pastor should take great care that the place of the Baptism is respectable.

XX RECORDS AND PROOF OF BAPTISM

79

The Pastor shall carefully and without delay enter in the Baptismal records the names of the persons Baptized, the Minister, the parents and sponsors, the date and place of birth and the Baptism.

INTERPRETATION

The Pastor has the obligation of recording the Baptism in the manner pointed out in the Code, no matter who Baptizes a subject of the Parish. Great caution must be taken not to make any corrections in the record, such as striking out words, misspelling and writing over again; all such alterations mar the record and make it worthless to prove anything in law, if made in a point which may become important.

XXI CONFIRMATION

80

The ordinary minister of Confirmation is the Bishop only. The extraordinary minister is a Priest who, by special Indult of the Bishop Ordinary, has received the faculty to Confirm.

INTERPRETATION

The question here is whether a Bishop could delegate priests to give Confirmation. In the book "A Catechism of the Polish National Catholic Church," Fourth Edition October 1979, on page 57, question 309 reads as follows:

309. Q - Who is the minister of the Sacrament of Confirmation?

A - The Bishop is the usual minister of the Sacrament of Confirmation.

If we therefore interpret "usual" meaning ordinary then it stands to reason that the Bishop may if need arises to confirm this faculty on a Parish Priest.

81

The Bishop is bound to administer confirmation to his subjects who legitimately and reasonably ask for it.

INTERPRETATION

Great care must be taken by the Bishop that those who ask for Confirmation were prepared by the Parish Priest as far as education of the faith of the Church.

XXII SUBJECT OF CONFIRMATION

82

Persons who have not been Baptized cannot be validly Confirmed. To receive Confirmation licitly and with fruit, the recipients must be in the state of grace, and if they have the use of reason, they must be sufficiently instructed.

INTERPRETATION

Though in the Rubrics on confirmation the Ritual of the Polish National Catholic Church does not state that those who are to receive Confirmation must first go to confession before receiving this Sacrament, the Catechism of our Church states that they must be in a state of grace. It would therefore, we assume, be necessary to go to confession before receiving this Sacrament.

The pastor should be sure that those who are going to receive this Sacrament, have been licitly Baptized.

83

Although, in the Polish National Catholic Church, confirmation is usually deferred until about the fourteenth (14) year of age, it may nevertheless be conferred before this age, if the infant is in danger of death, or if the minister in any other case thinks it expedient for good and weighty reasons.

INTERPRETATION

The custom of the Polish National Catholic Church is that a child receives Baptism then receives First Holy Communion before he receives Confirmation. The norm has been to have the child reach the age of fourteen or there about before he receives Confirmation. There is nothing to be found in the writings of the Church Fathers to substantiate this age and we are only following what has been custom in this Church.

XXIII THE SPONSORS

In accordance with a most ancient custom of the Church, a sponsor should be procured at Confirmation also, if one can be had.

84

INTERPRETATION

In accordance with "A Catechism of the Polish National Catholic Church," Pg. 58, we find the following:

Q. Why are sponsors required in Confirmation?

A. Sponsors are required in Confirmation to witness our public and spiritual declaration of faith and to help us live by that declaration.

85

The sponsor should stand for one candidate only, although the Pastor may for a just reason allow him to stand for two. No candidate for Confirmation shall have more than one sponsor.

INTERPRETATION

This Canon is self-explanatory.

86

In order that one may validly be sponsor, the following conditions are required:

- 1) The sponsor must have received Confirmation, have attained the use of reason, and have the intention of performing the office of sponsor-ship;

- 2) The sponsor may not be a member of an heretical or schismatic sect, nor be declared liable to any of the penalties spoken of in Canon 71;
- 3) The sponsor may not be the father or mother of, or married to the candidate;

- 4) The sponsor must have been designated by the candidate, or by his parents or guardians, or, in their default or refusal to appoint a sponsor, by the Pastor;

- 5) The sponsor must physically touch the candidate in the very act of the Confirmation, this action being performed personally or by proxy;
- 6) The sponsor must be an upstanding and active member of the Polish National Catholic Church.

INTERPRETATION

The requisites for valid sponsorship in Confirmation are practically the same as those required, in Canon 70, for valid sponsorship in Baptism. The Pastor should also refer to Canon 71 as to any other impediments against any sponsor.

87

In order that one may licitly be admitted to the sponsorship, the following conditions must be observed;

- 1) The sponsor at Confirmation should not be the same person who acted as sponsor in Baptism, unless for a reasonable cause the minister of Confirmation thinks it proper to allow an exception to this rule;
- 2) The sponsor must be of the same sex as the candidate, unless in particular cases the minister for a reasonable cause thinks it proper to allow an exception;
- 3) The prohibitions of Canon 71 in reference to persons who may not be lawfully admitted to sponsorship in Baptism shall apply also to sponsorship in Confirmation.

INTERPRETATION

This Canon is self-explanatory.

88

From valid Confirmation arises a spiritual relationship between the person confirmed and the sponsor, by which the sponsor is bound to take a permanent interest in the person Confirmed and to care for his Christian education.

INTERPRETATION

The sponsor has a true obligation to take a lasting interest in the spiritual welfare of the person whom he presented for Confirmation, and, if that person is not yet fully instructed in Christian doctrine the sponsor is obliged to do what is reasonably within his power to see that the child shall

receive a complete Christian education, if his parents or his guardian do not attend to this important duty.

After Confirmation the Bishop should announce to the sponsors that they shall instruct their (spiritual) children in good morals, that they avoid evil and do good, and they shall teach them the faith of the Church.

XXIV RECORDS OF CONFIRMATION

89

The Pastor shall enter in a book kept specially for this purpose the names of the minister of Confirmation, of the persons confirmed, of the parents and the sponsors, also the date and place of Confirmation.

INTERPRETATION

Though the Confirmation register is not so important as the Baptismal, it is nevertheless highly advisable that the records be kept accurately. Great inconvenience might be caused by the failure to keep the records, since a certificate of Confirmation may be needed by those who are to be ordained.

XXV THE HOLY SACRIFICE OF THE MASS

90

Priests only have the power to offer the Sacrifice of the Mass.

INTERPRETATION

Only a Bishop or Priest validly ordained has the power of consecration or of changing bread and wine into the Body and Blood of Christ. It was only to the Apostles and their successors in the priesthood that Christ gave this power by the words, "Do this in remembrance of me." (St. Luke 22:19)

No one else can assume to himself this faculty, according to the teaching of St. Paul: "For every high priest chosen from among men is appointed to act on behalf of men in relation to God, to offer gifts and sacrifices for sins.....Because of this he is bound to offer sacrifices for his own sins as well as for those of the people. And one does not take the honor upon himself, but he is called by God, just as Aaron was." (Heb. 5:1-4)

St. Ignatius of Antioch also writes in his letter to the Smyrnaeans, (ca. A.D. 110), "Let that be considered a valid Eucharist which is celebrated by the bishop, or by one whom he appoints. Wherever the bishop appears, let the people be there; just as wherever Jesus Christ is, there is the Catholic Church. Nor is it permitted without the bishop either to baptize or to celebrate the Eucharist; but whatever he approve, this too is pleasing to God, so that whatever is done will be secure and valid."

It is therefore of faith that the Apostles at the Last Supper were ordained priests of the New Law, and that they only and their successors in the priesthood, to the exclusion of the rest of the faithful, have the power to create the Holy Eucharist.

91

All Priests are bound by obligation to say Holy Mass several times a year. The Bishop, however, shall see that his Priests say Holy Mass at least on all Sundays and other feasts of obligation.

INTERPRETATION

This Canon is self-explanatory.

92

The Priest should not fail to prepare his soul by pious prayers for the oblation of the Eucharistic Sacrifice, or upon its conclusion to give thanks to God for so great a boon.

INTERPRETATION

This Canon is self-explanatory.

XXVI ONE MASS A DAY

93

With the exception of Christmas and All Soul's Day, on which every Priest may say three Holy masses, the Priest is forbidden to say more than two Masses a day, unless he has permission from the Bishop Ordinary. The Bishop Ordinary cannot grant this permission except in cases in which, according to his prudent judgment, a considerable number of the faithful would otherwise have to miss Mass on a day of obligation owing to the lack of Priests.

INTERPRETATION

Every Parish is required to have a High Mass celebrated for the intention of the faithful of the parish every Sunday and Holy Day of Obligation. More than one Mass may be celebrated in a Church, depending upon the size of the congregation, however, no Priest is permitted to celebrate more than two

Masses daily or on Sundays without permission of the Bishop of the Diocese, except for the cases mentioned above. A daily Mass should be celebrated at

every Parish Church that has a full time Pastor. These daily Masses may be celebrated for special intentions at the request of individuals or groups for a special purpose as: (1) Mass of supplication and entreaty; (2) Mass of thanksgiving; (3) Requiem Mass for departed souls and (4) Nuptial Mass for a newly married couple. All of these Masses are called Votive Masses, for they are offered for a special private intention.

XXVII CEREMONIES OF HOLY MASS

94

The Holy Sacrifice of the Mass must be offered up in the form of bread and wine, a very small quantity of water being mixed with the latter.

INTERPRETATION

Bread and wine are the matter of this Sacrament. That is, wheaten bread and wine of the grape are the only valid matter of the Eucharist. And by ecclesiastical precept the wine is to be mixed with a little water. The bread for the Eucharist must be made with natural water, and not with yeast, milk or butter, or any other mixture. The Church prescribes that the altar breads be recent and that the particles used should not be broken or stained.

The wine must be of the grape; it must be drinkable, and incorrupt as to its species. This is required for the validity of the Sacrament. Therefore, it would be invalid to consecrate any other material, such as wine extracted from any other fruit. For the lawful consecration, the wine must be pure, clean, not congealed, not wine which, according to the Church, has begun to grow sour or corrupt.

For valid reasons the Bishop Ordinary may grant dispensation for a Priest to use non-alcoholic grape wine, (juice).

In the "A Catechism of the Polish National Catholic Church" we find on page 66 the following:

358. Q - What is the Holy Eucharist?

A - The Holy Eucharist is Jesus Christ Himself mystically present under the forms of bread and wine.

95

The bread must be made of pure wheaten flour, and it must be fresh so that there is no danger of corruption. The wine must be the natural juice of the grape vine and uncork-rusted.

INTERPRETATION

See interpretation of Canon 94.

96

In the celebration of Mass the Priest must, according to the rites of the Polish National Catholic Church, use unleavened bread where ever he celebrates.

INTERPRETATION

There is no doubt that the obligation is grave for the Priest of the Polish National Catholic Church to use the altar bread prescribed by the Church. Even when, for what ever reason, he might be celebrating in an Orthodox Church.

97

Even in a case of extreme necessity, it is forbidden to consecrate one species without the other, or both outside of Holy Mass.

INTERPRETATION

This Canon is self-explanatory.

98

The celebrant must observe the rubrics of his liturgical books accurately and devoutly, and beware of adding other ceremonies and prayers of his own choice. All contrary customs by which other ceremonies and prayers are introduced into the Rite of the Mass, are disapproved.

INTERPRETATION

Every Priest is bound by a grave obligation to celebrate Holy Mass according to the Rites and Ritual of the Polish National Catholic Church. Without permission of the Bishop Ordinary no other rite or ritual may be used.

99

Mass must be celebrated in the liturgical language proper to each Priest's own Parish, as approved by the Church.

INTERPRETATION

This Canon is in accordance with a synodal resolution passed at the XV General Synod, held in Chicago, Illinois, October of 1978, which reads as follows:

"Hereafter, the Pastor and Congregation of a Parish of the Polish National Catholic Church, with the concurrence of the Bishop Ordinary, shall determine the number of times it may hold its several Masses in Polish or in its contemporary language."

XXVIII MINISTERS OF HOLY COMMUNION

100

The Priest alone is the ordinary minister of Holy Communion. The Deacon is the extraordinary minister, but he must have the permission of the local Ordinary or of the Pastor, which may be given for a grave reason, and may be legitimately presumed in case of necessity.

INTERPRETATION

We refer to Canon 18 of the First Ecumenical Synod convened at Nicaea in 325 A.D., it states as follows:

"It has come to the notice of the holy and great Council that in some regions and cities Deacons are giving the Eucharist to Presbyters, which is something that neither the Canon nor custom has allowed those who have not the authority to offer, to give the Body of Christ to those offering it. It has also further been learned that already some Deacons touch the Eucharist even before the Bishops, etc.,"

We therefore stress that without the permission of the Bishop Ordinary or the Pastor of the Parish a Deacon cannot distribute Communion at any time. The only reason would be that of the danger of death to a person in which case permission would not be necessary.

In ancient times, when the faithful received Holy Communion under both species, it was the office of the Deacon to minister the Chalice with the Precious Blood. Since intinction is now prevalent in our Church the use of the Deacon in this respect is not necessary.

101

Every Priest may distribute Holy Communion during his Mass, and, if he celebrates privately, also immediately before or after Mass.

INTERPRETATION

The Canon states that the Priest may distribute Holy Communion not only during Mass, after he himself has received the Sacred Host and the Precious Blood, but also immediately before or after the Mass, if this be private (Low). Holy Communion may not be given immediately before or after Solemn High, or a High Mass.

A strange Priest naturally should not enter a Church and give Holy Communion to people without at least the presumed permission of the Priest in charge of the Church. If a Priest is admitted to say Holy Mass in a Church, he has the implied permission to give Holy Communion.

102

Every right and duty to carry Holy Communion to the sick within a Parish, even to non-parishioners, is vested in the Pastor. Other Priests may do so only in a case of necessity, or with at least the presumed permission of the Pastor of the Parish.

INTERPRETATION

This Canon is self-explanatory for the most part. The portion dealing with other Priests would only come into effect where the Pastor of one Parish is not available and the Priest from a neighboring Parish is asked to administer the Sacrament.

103

Every Pastor must see to it that the Holy Viaticum for the sick be not too long deferred.

INTERPRETATION

The right and duty to administer the Holy Viaticum is by law reserved to the Pastors. The Canon obliges all who have the care of souls to attend faithfully to the dying, because at that time they need the Priest more than at any other time in life. The assistant Priests in Parishes, who by order of the Pastor attend to the sick, have the responsibility for the cases committed to them.

104

When Holy Communion is administered privately to the sick, the reverence and respect due to so great a Sacrament should be zealously safeguarded by observance of the regulations laid down in the Ritual of the Polish National Catholic Church.

INTERPRETATION

This Canon is self-explanatory.

Holy Communion is to be distributed according to the custom of the Parish, as long as the custom is not opposed to the Rite of the Polish National Catholic Church.

INTERPRETATION

As stated before the prevalent practice in our Diocese is to administer Holy Communion under both Species, (intinction). However, this may not be true in all cases, therefore as long as the Parish follows the Rite of the Polish National Catholic Church it may distribute Holy Communion under one species, the Body of Christ.

XXIX RECIPIENT OF HOLY COMMUNION

Every Baptized person, who is not barred by law, may and must be admitted to Holy Communion.

INTERPRETATION

Those who have been Baptized, and those only can receive validly the Sacrament of the Holy Eucharist, because Baptism is the door or entrance to all the other Sacraments. And these can validly receive, whether they be sick, or in good health, or at the hour of death.

We must also take heed of the stipulations which are stated in Canon 46. It seems that the divine law requires nothing further for the reception of Holy Communion than a valid Baptism and the state of grace, and in persons who have (or have had) the use of reason, the intention to receive the Sacrament. The ecclesiastical law has added prohibitions not contained in the divine law, because the Church has the obligation to see that due reverence and respect are paid to our Lord in the Blessed Sacrament.

Children who by reason of their age have not yet a knowledge of and desire for this Sacrament, should not be given Holy Communion. In case of danger of death Holy Communion may and must be given to children, if they are able to distinguish the Holy Eucharist from ordinary bread and reverently adore it. Except in case of danger of death, a fuller knowledge of Christian doctrine and a more careful preparation are justly demanded: the children must, insofar as their capacity allows, be acquainted with at least the mysteries of faith which are necessary as absolute means of salvation, and they must approach Holy Communion with such devotion as can be expected from young children.

INTERPRETATION

This Canon is self-explanatory.

108

The decision as to the sufficient disposition of children for First Holy Communion shall rest with the Pastor of the children and their parents, or those who take the place of the parents. It is the duty of the Pastor to see that the children do not approach Holy Communion before they have come to the use of reason, (age 8), or without sufficient disposition. It is the further duty of the Pastor to see that children attend First Holy Communion classes and that after proper instruction and have attained the years of discretion and are sufficiently disposed shall be as soon as possible strengthened by the Divine Food.

INTERPRETATION

Parents should take great concern that their children are capable of understanding the seriousness of this Sacrament. If for any reason they feel that their child cannot or would not for some reason fully comprehend the importance of this Sacrament they should notify the Pastor at once.

Catechism instruction must commence at least one year prior to receiving the Sacrament.

109

Catholics who are publicly known to be unworthy (for example, those who have been suspended or who are manifestly ill repute) must be refused Holy Communion until their repentance and amendment have been established, and satisfaction has been made for the public scandal which they have given or unless it should become necessary to consume the Blessed Sacrament to safeguard it against irreverence.

INTERPRETATION

This a restatement of Canon 106. It may be difficult in some cases to be judge when a person is to be regarded as a public sinner. No general rule can be given other than what is stated in the Constitution of this Church which can be found in Article III, section 6 and reads as follows:

"A member who harms, slanders, or libels this Church or any of its Parishes or members in a moral or material manner may be summoned by his Pastor or Bishop, or persons authorized by either of them to repair the wrong committed by him. Should he refuse to do so, the matter shall be referred to the proper Church Tribunal under Article XXII for disposition."

Under this provision in our Constitution one could assume that a person

that falls under this category would also be refused Holy Communion until such time that the matter is cleared up.

We must also take under consideration what the Holy Fathers of the First Holy Ecumenical Council said in Canon 13:

"As concerns those who are making their exit, the old and Canonical Law shall be kept even

unless it should become necessary to consume the Blessed Sacrament to safeguard it against irreverence.

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We must also take under consideration what the Holy Fathers of the First Holy Ecumenical Council said in Canon 13:

"As concerns those who are making their exit, the old and Canonical Law shall be kept even now, so that, if anyone is excelling, let him not be deprived of the final and most necessary equipment (or viaticum). If, however, after all hope has fled, and he has been given communion, he again comes to be looked upon as being among the living, let him stay with those who participate in prayer only. In general, moreover, as concerning anyone at all that is on the point of making his exit, if he asks to partake of the Eucharist, let the Bishop impart to him the oblation with a trial."

Therefore, where death is possible we should after informing the Dean or Bishop, impart the Holy Eucharist to them. It should however be discussed what the course of action will be if the person returns to health.

We must remember, as Pastors, due to our Penitential Rite, during Mass, the intention of the recipient as he approaches to receive the Eucharist is not known. Therefore, it is incumbent upon the recipient that he has the proper intention for receiving the Body and Blood of our Lord Jesus Christ. We bring to mind what St. Paul writes in his letter to the Corinthians:

"Whoever, therefore, eats the bread or drinks the cup of the Lord in an unworthy manner will

be guilty of profaning the body and blood of the Lord. Let a man examine himself, and so eat of the bread and drink of the cup. For any one who eats and drinks without discerning the body eats and drinks judgment upon himself."

As we can see the intention rests solely with the recipient. If we as Pastors question the intention of an individual at the time of reception, it is suggested, that the Sacrament be dispensed and after Mass the Pastor questions the individual of his intention. During this recourse the Pastor must instruct the individual on the proper intention needed to worthily receive this Sacrament.

110

None may receive Holy Communion a second time on the same day except in the contingencies mentioned in Canon 113 or unless it should become necessary to consume the Blessed Sacrament to safeguard it against irreverence.

INTERPRETATION

This Canon is self-explanatory. Refer to Canon 113 in cases where the danger of death is possible.

111

Those who have not kept at least the two (2) hour fast before reception are not allowed to receive communion except in danger of death or unless it should become necessary to consume the Blessed Sacrament to safeguard it against irreverence.

INTERPRETATION

A Pastor may grant dispensation from this fast for medical reasons, or he finds the situation grave enough that it warrants dispensation.

112

The sick who have been confined to bed without certain hope of speedy recovery, may, with the advice of the Pastor, receive holy communion once or twice a week though they have taken medicine, liquid or food.

INTERPRETATION

This Canon is self-explanatory.

113

In danger of death, from whatever cause it may proceed, the faithful are bound by precept to receive Holy Communion. Though they may have received Holy Communion the same day, they should be strongly advised to receive again if in the course of the day they are in danger of death. While the danger of death lasts, they may, according to the prudent judgment of their Pastor, receive the Holy Viaticum several times on different days.

INTERPRETATION

Our faithful should be made aware of this provision. Whether or not a person is obliged to receive Viaticum in case he had received Communion that same morning through devotion, sickness and danger of death coming on afterwards, there are three opinions. Some say that it can on ought to be given in such a case; other, that it cannot and ought not to be given; and others, that it may be given, but that is is not obligatory, which is the safest opinion to follow in practice.

XXX TIME AND PLACE FOR THE DISTRIBUTION
OF HOLY COMMUNION

114

Holy Communion may be distributed every day. On Good Friday, however, it may be given upon Pastors discretion.

Holy Communion is to be given only during those hours when the celebration of Mass is allowed, unless there is good reason to give it at other times. The Holy Viaticum, however, may be given any hour of the day or night.

INTERPRETATION

The ordinary and usual time for the distribution of Holy Communion are the hours when the celebration of Mass is permitted. From this rule of the

Canon it seems to follow that, whenever Mass is said, Holy Communion may also be given, whether it be Christmas at Midnight Mass or any other time when Holy Mass is legitimately celebrated. For the administration of Holy Communion outside of Mass and outside the hours of Mass, whether at night or in the afternoon, the Priest should use good judgment and a reasonable cause suffices.

115

The Celebrating Priest is not allowed to give Holy Communion during the Mass to people who are so far away that he has to go out of sight of the altar.

INTERPRETATION

This Canon would come into effect if the Priest was celebrating the Mass at a hospital chapel or some other institution where some of the inmates of these places might be sick in rooms and wards near the chapel where Mass was said. The continuity of the Mass must not be broken except in case of necessity, the Church, therefore, does not want the celebrant to go out of sight of the altar. Ordinarily there is no reason for interrupting the ceremonies of the Mass, as Holy Communion may be given to the sick a few minutes later after the Mass.

116

Holy Communion may be given in any place where Mass is allowed to be said unless the Bishop Ordinary should for good reasons have forbidden it in particular cases.

INTERPRETATION

This Canon would pertain to those Churches who have altars at their cemeteries and celebrate Mass on any given day.

XXXI SACRAMENT OF PENANCE

117

Penance is the Sacrament in which the sins of a repentant sinner committed after Baptism are forgiven through sorrow, confession, a firm resolution to sin no more and the absolution of a Priest.

INTERPRETATION

This is a restatement of the dogmatic teachings of the Church that the power exercised by the minister in the Sacrament of Penance is a judicial act. Christ first delegated the Apostles and their successors to exercise a power which no man could ever claim save by commission from God, and whosever claims to have the power of forgiving sins must be able to show that he has been properly commissioned by the Church. This Canon states that the Sacrament of Penance deals with the sins committed after Baptism, for it is evident that the sins committed before Baptism are forgiven in baptism, and if they are not forgiven because a person did not receive Baptism worthily, such sins do not come under the jurisdiction of the Church because they were committed at a time when the person was not a subject of the Church.

XXXII THE MINISTER OF PENANCE

118

Priests alone are the ministers of this Sacrament.

INTERPRETATION

We quote from the Gospel of St. John 20: 22 & 23:

"And when he had said this, he breathed on them and said to them, 'Receive the Holy Spirit. If you forgive the sins of any, they are forgiven; if you retain the sins of any, they are retained.'"

Also we quote from the Gospel of St. Matthew 18:18:

"Truly, I say to you, whatever you bind on earth shall be bound in heaven, and whatever you loose on earth shall be loosed in heaven."

In the "Catechism of the Polish National Catholic Church" page 60, question 326 reads as follows:

Q. Who is the minister of the Sacrament of Penance?

A. The priest is the minister of the Sacrament of Penance.

119

For the valid absolution of sins, the minister requires besides the power of Orders, either ordinary or delegated power of jurisdiction over the penitent.

INTERPRETATION

The minister of confession or of the Sacrament of Penance is a Priest who has jurisdiction over the penitent. In order to absolve from sins, a twofold power is required, namely, that of order and of jurisdiction.

The power of order is that which a Priest receives in his ordination, in which the full power of absolving is given; but in order to exercise that power he requires subjects.

The power of jurisdiction is that which assigns to a Priest subjects over whom he can exercise the power of absolution received in his ordination.

The power of order differs from the power of jurisdiction in the following particulars:

(1) The power of order is given equally to all Priests, but not so the power of jurisdiction.

(2) The power of order is indelible, but the power of jurisdiction may be taken away entirely or in part.

(3) The power of order can be conferred only by Bishops in the Sacrament of Orders, but jurisdiction may be given by others.

The power of Orders will not be dealt with here but later in the Canons. The power of jurisdiction is clearly stated, we refer to the "Constitution of the Polish National Catholic Church," under Article XVI which reads as follows:

"Section 2. The guidance of a Parish in its spiritual and moral matters rests with the Pastor of the Parish in conformity with the teachings of this Church.

Section 3. A Pastor of a Parish of this Church is a Priest who is united with this Church and has authority to exercise the office of a Pastor from his Diocesan Bishop under whose jurisdiction the said Parish belongs."

As far as lay persons are concerned, the question of jurisdiction need not cause them any uneasiness, as the Church has so many safeguards to protect them and to see that power is exercised only by those duly appointed and fitted for the care of souls.

In a case of danger of death, the Polish National Catholic Church gives power to every Priest to absolve from every sin. Refer to Canon 124.

120

The Prime Bishop possesses ordinary jurisdiction for the hearing of confessions for the whole Church. The Bishop Ordinary has ordinary jurisdiction to hear confession in his Dioceses. Pastors and other Priests holding the place of Pastors have ordinary jurisdiction in their respective dioceses.

INTERPRETATION

This Canon simply states the jurisdiction rights of the different ecclesiastical offices of our Church. Though in some Churches the universal jurisdiction applies also to Diocesan Bishops. At this time, however, since this is a Diocesan Canon Law we should leave it in its present text.

121

The ordinary jurisdiction for the administration of the Sacrament of Penance ceases with the loss of the office to which that jurisdiction is attached, or after proper Tribunal action which results in suspension.

INTERPRETATION

This Canon is self-explanatory.

122

The Diocesan Bishop shall not recall or suspend the jurisdiction or permission for the hearing of confessions without a grave cause. The Bishop Ordinary may for grave reasons forbid even a pastor the exercise of the office of confessor, but they have the right of recourse as stated in the Constitution of the Polish National Catholic Church.

INTERPRETATION

Though Canon Law does not define what "grave cause" consists of one may derive that any serious misconduct of a Priest in any matter suffices to entitle the Bishop to recall or suspend the jurisdiction.

123

All Priests, vested with ordinary jurisdiction, can validly and licitly absolve also strangers coming from another diocese or parish. Priests with ordinary jurisdiction for confession can absolve their own subjects anywhere in the world.

INTERPRETATION

This Canon is self-explanatory.

124

In danger of death all Priests can validly and licitly absolve any penitent from any sins, even if an approved Priest is present.

INTERPRETATION

We include this canon because of the words of St. Thomas Aquinas:

"Least any may perish on this account it has always been very piously observed in the said Church of God that there be no reservation at the point of death, and that therefore all priests may absolve all penitents whatsoever from every kind of sin and censures whatever.

The canon does not specify imminent death, but merely danger of death. It does not matter from what source the danger or death arises; sickness, wounds, impending serious operation, call of a soldier to war, etc.

125

The absolution of the Priest's accomplice in a sin of impurity is invalid except when that person is in danger of death. Even in danger of death, the Priest absolves illicitly unless another Priest cannot be had, or the calling of another Priest under the circumstances would implicitly reveal the sin of the Priest with the person now in danger of death.

INTERPRETATION

The Church fears that a Priest whose faith is weakening and who no longer is able to struggle with all his might against carnal lust, may abuse the Priesthood which gives him influence over others, and, instead of helping a soul in its struggle against sin, drive it deeper into sin under the pretext that he can absolve the person who consents to sin with him. The Priest is therefore, deprived of the power over the sin of his accomplice in a sin of impurity with the exception of the extreme cases of danger of death under circumstances where either no other Priest is at hand to absolve the dying person, or where another Priest cannot be summoned without betraying the sin of the Priest.

XXXIII RULES TO BE OBSERVED IN HEARING CONFESSIONS

126

Though the prayers attached by the Church to the formula of absolution are not necessary for the validity of the absolution, nevertheless they should not be omitted except for a good reason.

INTERPRETATION

By the nature of the Sacrament it is evident that the words must indicate that the Priest absolves the penitent from his sins. The words by which this is done were never signified by Christ. The Church has prescribed the form:

"May our Lord, Jesus Christ, absolve you
and by His authority, vested in me, I ab-
solve you from your sins; in the name of
the Father and of the Son and of the Holy
Spirit."

The Priest is under grave obligation to use the form of words prescribed by the Church.

127

If the confessor has no reason to doubt the proper dispositions of the penitent who asks for absolution, he may neither deny nor defer absolution.

INTERPRETATION

There are three questions a Priest must ask himself when hearing the confession of a penitent:

- 1) Did he really commit a sin?
- 2) If he did commit a sin, how responsible was he?
- 3) Is the sinner sorry for his sins?

If the answer is yes to all three questions there is therefore no reason for proper absolution to be given for the sins confessed.

If for some reason the confessor is obligated to retain a mortal sin he should simply say: "I cannot give you absolution."

In this case instructions must be given to the penitent as to how he can receive absolution for the mortal sin. However, let us remember that this should be used only in the gravest of cases.

The confessor shall impose the proper penance in proportion to the number and gravity of the sins confessed and accommodated to the condition of the penitent, which penance the penitent must accept with a willing heart and perform personally.

INTERPRETATION

The confessor should use discretion when imposing penance for the sins which the penitent has confessed to him. He should remember that it is not always possible to administer the proper penance for the sins confessed, for example, if the penitent does not have a good prayer life then by imposing on him a penance which consists of numerous prayers would more discourage him than help in this matter. It would in this case be better to have him dedicate his prayers and work and attending Mass on Sunday to God as a penance. Also the age and health of the penitent must be taken into consideration.

The Priest must always remember that when hearing confessions he acts as both judge and physician, and that he has been appointed by God as a minister of both the divine justice and the divine mercy to safeguard the honor of God and promote the salvation of souls. The Priest must absolutely guard against inquiring into the name of an accomplice in sins confessed, against detaining penitents with inquisitive and useless questions (especially concerning the sixth commandment) and especially against imprudently questioning young people about things of which they are ignorant.

INTERPRETATION

These are not new rules for the confessors but rather something that has been expressed by moral theologians for centuries. We include them here so that the confessors may have no doubt about whether to follow them or not.

The sacramental seal is inviolable, and the confessor must therefore take great care to never betray a penitent by words or signs, or in any other way, for any reason whatsoever. The obligation of keeping the sacramental seal also binds the interpreter and all others to whom the knowledge of the confession has in any way come.

INTERPRETATION

Aphrates, the Persian Sage (ca. A.D. 280 - 345) in his Treatises wrote the following:

"You physicians, then, who are the disciples of our illustrious Physician, you ought not deny a curative to those in need of healing. And if anyone uncovers his wound before you, give him the remedy of repentance. And he that is ashamed to make known his weakness, encourage him so that he will not hide it from you. And when he has revealed it to you, do not make it public, lest because of it the innocent might be reckoned as guilty by our enemies and by those who hate us."

The violation of the seal of confession would be:

- 1) A grave sin of sacrilege, inasmuch as it is injurious to the Sacrament;
- 2) It would be a grave sin of infidelity, inasmuch as it is the revelation of a secret; and
- 3) It would be a great sin of injustice, inasmuch as it would destroy the reputation of the penitent.

The obligation of the seal extends directly to all those things that belong to the Sacramental confession that is, to the sins, and everything that is said in explanation of the sins. Indirectly it extends to everything by which the sinner or the sins might be discovered or known, and also to everything that might harm in any way the penitent, or render the Sacrament odious.

Strictly speaking, only the confessor is bound by the Sacramental seal, as he only is the minister of the Sacrament to which alone the seal is annexed. But, by participation, all those who, by any accident, may hear the sins of another, or gain the knowledge of them through the confessional, are bound to keep the secret.

The penitent, however, may give leave to a confessor to speak about things heard in the confessional. But the permission of this kind should be entirely free; it must be formally and explicitly granted, and for some just cause, either regarding the soul of the penitent, or for the purpose of obtaining the advice and counsel of a more learned or more experienced Priest.

So strict is this obligation that, outside the confessional, the confessor cannot, without permission, speak even to the penitent of things heard in the confessional, and not even for the purpose of rectifying a mistake made in the past confession. But in another confession he may, for a just cause, refer to a past confession, and to things made known in former confessions.

In the case of confession the Church does not admit excuses of any kind, and binds the Priest to secrecy, though it may entail the sacrifice of his life, his honor, or anything else that is most dear to him.

The confessor is absolutely forbidden to use the knowledge derived from confession to the disadvantage of the penitent, even when there is no danger of revelation.

INTERPRETATION

The Church insists on the duty of the confessors to avoid all talk about what they have heard in Confession, whether it be in public sermons and instructions or in private conversation.

132

Pastors and others who have the care of souls in virtue of their office, are bound by a grave obligation of justice to hear the confessions of the faithful in their charge whenever they reasonably ask to be heard. In danger of death all Priests have the same obligation.

INTERPRETATION

We would simply clarify that others would mean the assistant pastor at the Cathedral. Also in danger of death even those Priests who are retired would be obligated to hear the confession of the penitent.

133

Persons who cannot confess in any other way may, if they so desire, confess through an interpreter, provided abuse and scandal are avoided and the interpreter understand that he is bound by the seal of confession.

INTERPRETATION

The interpreter should be made aware of the grave obligation of which he assumes. The seal of confession should be fully explained to him.

134

All members of the Polish National Catholic Church who have reached the years of discretion are obliged to confess all their sins accurately once a year.

INTERPRETATION

We quote from the Constitution of the Polish National Catholic Church; Article III, Section 3, paragraph A, subsection 3:

"(3) Active Participation in the sacramental life of the Church, that is: the worthy hearing of the Word of God, receiving Baptism and Confirmation, the sacraments of Penance and

Holy Communion as often as possible, but at least once a year, and the other Sacraments which Christ our Lord instituted for the sanctification and perfection of man;"

We quote also from the Treatise of St. Cyprian of Carthage on "The Lord's Prayer":

"As the prayer continues, we ask and say, 'Give us this day our daily bread.' And we ask that this bread be given us daily, so that we who are in Christ and daily receive the Eucharist as the food of salvation, may not, by falling into some more grievous sin and then in abstaining from communion, be withheld from the heavenly Bread, and be separated from Christ's Body.... He Himself warns us, saying, 'Unless you eat the flesh of the Son of Man and drink His blood, you shall not have life in you.' Therefore do we ask that our Bread, which is Christ, be given to us daily, so that we who abide and live in Christ may not withdraw from His sanctification and from His Body."

135

A person who makes a sacrilegious or intentionally invalid confession does not satisfy the precept of confessing his sins.

INTERPRETATION

The Priest in this instance shall not be bound by the seal of confession.

XXXIV HOLY UNCTION

The Sacrament of Holy Unction must be administered by the sacred anointings, with the use of the olive oil properly blessed and the words prescribed in the Ritual approved by the Polish National Catholic Church.

INTERPRETATION

This Canon is self-explanatory.

137

This Sacrament can be validly administered only by a Priest. The pastor of the parish in which the sick person stays is the ordinary minister. In case of necessity, or with the permission (at least presumed) of the Pastor or of the Bishop Ordinary, any other Priest may administer this Sacrament.

INTERPRETATION

This Canon is self-explanatory.

138

The Pastor is obliged in justice to administer the Sacrament either in person or through another Priest, and in case of necessity any Priest is charity bound to do so.

INTERPRETATION

For all Priests there remains the common duty of Christian charity to assist those who stand in need of help. Spiritual distress is more serious than temporal and therefore the obligation to give spiritual assistance to people in danger of death falls on any Priest who sees there is no one else at hand.

139

Holy Unction may only be given to a Catholic who, after having attained the use of reason, is in danger of death through sickness, old age or accident. This sacrament cannot be repeated in the same illness unless the person has rallied after the reception of the last anointing and again becomes critical.

INTERPRETATION

The effects of Holy Unction is the strengthening of the soul through grace and the remission of sin and the punishments due to sin. We therefore assert that a child who has not reached the age of reason, (ordinarily before the completed seventh year of age) and also those who have been in-sane from infancy, cannot receive Holy Unction.

There is not a precise definition of "danger of death." However, the danger need not be so imminent, nor so serious that there is little or no hope of recovery. We find that in the early Church the sick person should stand or kneel, or recite the Our Father and answer the questions addressed to him, all of which supposes that the sick person was not very close to death when anointed.

A person who attempts suicide and succeeds only in endangering his life by the wound or poison or other injury to the body, may be anointed conditionally.

At times it is difficult to know whether one crisis passed and a new crisis arose, or whether it is the same lingering condition caused by the same disease. In such a case where doubt has arisen one should decide in favor of repetition of the Sacrament, since repetition in that case is more in conformity with the ancient practice of the Church.

140

If there is doubt as to whether the sick person has attained the use of reason, is really in danger of death or if he is dead, Holy Unction shall be given conditionally.

INTERPRETATION

This is the present practice of our Church. Among modern theologians, Holy Unction should be given without any conditions in cases as mentioned above. However, until such time as our commissions pursue this matter we follow the Canon as stated.

141

This Sacrament is not to be administered to those who obstinately persevere in open mortal sin; if this is doubtful, they may be anointed conditionally.

INTERPRETATION

Again the grave responsibility falls upon the Pastor to know his congregation. The question here is "intention." Does the person in question have the proper intention to receive Holy Unction? Is he repentant? If the Pastor finds that there is proper intention and the person is truly repentant for his sins then Holy Unction is to be given unconditionally. If the person is unconscious and the Pastor perceives that shortly before this the person has shown somekind of will and intention of receiving this sacrament then he may anoint conditionally. If the opposition of a neglectful Catholic to his spiritual duties was so pronounced that the Priest has no reason at all for believing it likely that he would have asked for the Sacrament before he became unconscious, the Priest may not give him Holy Unction even conditionally.

XXXV RITES AND CEREMONIES OF HOLY UNCTION

142

The olive oil to be used in Holy Unction must be blessed for that purpose by a Bishop.

INTERPRETATION

The blessing of the olive oil by a Bishop is so essential to the Holy Unction that the Sacrament is invalid if administered with unblessed oil. In case of an emergency, where the Oil of the Sick cannot be gotten, Oil of Chrism or Oil of Catechumens may be used but this would be considered as conditional anointing, he must if time allows again repeat the Sacrament conditionally using the proper oil.

143

The Oil of the Sick is to be kept by the Pastor in a clean and properly ornamented place and in a receptacle of silver or white metal.

INTERPRETATION

This Canon is self-explanatory.

144

The anointings should be performed with exact observance of the words, the order, and the manner prescribed in the Ritual of the Polish National Catholic Church. In case of necessity it is sufficient that one anointing be made on the forehead, or even on another part of the body, while saying the entire formula. The minister should perform the anointings with his own hand unless a serious reason urges that he employ some instrument.

INTERPRETATION

In danger of infection from contact with the sick person-which danger must not be imaginary but real-or any other case of true necessity, the Priest may anoint by means of a piece of cotton rolled tight.

XXXVI MARRIAGE

145

As with any other Sacrament the proper minister of this Sacrament is a Priest or Bishop of the Polish National Catholic Church.

INTERPRETATION

It must be noted here that in the Roman Catholic Church the ministers of this Sacrament are the contracting matrimonial partners, the Priest is only a necessary witness for validity. In the Polish National Catholic Church the Priest must administer the Sacrament.

146

Ecclesiastical Marriage is one that is performed by a Priest according to the accepted Ritual of the Polish National Catholic Church. This marriage is both valid and licit and indissoluble at consummation.

INTERPRETATION

This Canon is self-explanatory.

147

Civil Marriage is one that is legally contracted before a civil magistrate yet invalid as a Sacrament until it has been blessed by a Priest.

INTERPRETATION

If the Pastor of a parish comes to know of a civil marriage that has not been blessed by the Church he should approach the party concerned to have the marriage blessed according to the Ritual of the Polish National Catholic Church.

148

Common Law Marriage is one entered into without ecclesiastical or civil ceremony or approval, but where man and woman live together as husband and wife and give themselves out as such to the world. Such marriages are legal in most states of the union after a required period of cohabitation. Such marriage unions are considered by the Church as being sinful.

INTERPRETATION

This Canon is self-explanatory.

149

The Pastor is the ordinary minister of this Sacrament. He may delegate an assistant Priest or Guest Priest of another Parish in the Diocese to perform the rite.

INTERPRETATION

In order to eliminate any confusion as to who is the administrator of this Sacrament, the Pastor of the Parish in which the marriage is to take place is its administrator.

If the couple wishing to be married wish to have another Priest to assist they must notify the Pastor of the Parish immediately so that the proper procedure may be followed.

150

Only the Bishop Ordinary may grant permission for a Priest of another Diocese, Rite, or Denomination to perform the Sacrament of Matrimony in a Parish in His Jurisdiction.

INTERPRETATION

It is mandatory for Pastors of the Buffalo-Pittsburgh Diocese to adhere to this Canon. This is especially prudent when it pertains to clergy of

another Rite or Denomination. It is at the discretion of the Bishop Ordinary to give or withhold license for the visiting clergy from another Rite, Denomination, or Diocese of the Polish National Catholic Church. The local pastor must receive the written permission of the Ordinary three (3) weeks prior to the wedding.

XXXVII RESPONSIBILITIES AND DUTIES PRIOR TO MARRIAGE

151

Parties wishing to contract a marriage in the Polish National Catholic Church must notify the Pastor at least six (6) months prior to the date set for the marriage.

INTERPRETATION

In order that all procedures may be followed through and that the proper investigations may be made, parties wishing to marry should let their Pastor know of their wishes at least six months before the date they have chosen as their wedding day.

152

Before a wedding date is set, it must be ascertained by the pastor of the parish where the Sacrament of Matrimony is to be administered, that there are no impediments to its lawful and valid celebration.

INTERPRETATION

It is the responsibility of the local Pastor to make sure that there are no impediments of any kind. The following are the recognized impediments of the Church:

- 1) Consanguinity
- 2) Fraud
- 3) Coercion
- 4) Duress
- 5) Mistake as to the identity of either party
- 6) Mental deficiency
- 7) Insanity
- 8) Failure to reach the age of puberty
- 9) Impotence or sexual perversion undisclosed
- 10) Prior marriage (Civil or Ecclesiastical)
- 11) Venereal Disease, undisclosed
- 12) Bigamy
- 13) Undisclosed incurable disease, alcoholism,

14) Affinity
drug addiction, or criminal record.

To attain this end, the following are required: premarriage investigation and instruction, baptismal certification and publication of bans. All conditions above are to be fulfilled, by the Pastor, before administering the Sacrament of Matrimony.

153

Only material approved by the Diocesan Maritmonal Commission may be used by the Pastor during his pre-marital instructions.

INTERPRETATION

This Canon is self-explanatory.

154

The Pastor must before publishing the bans, prudently and separately question the bride and groom, inquiring whether there be some impediment and whether they are entering upon marriage freely.

INTERPRETATION

Pastors are to make sure that both parties are fully aware of the responsibility of marriage and that both are entering this Sacrament of their own free will. These meetings should take place as soon as possible.

155

The Bans are to be published in the Parish where the marriage will take place. If both parties are members of the Polish National Catholic Church, but from different parishes, the bans should be published in the home parishes of both parties.

INTERPRETATION

This Canon is self-explanatory.

The bans must be announced on three successive Sundays usually at the principal Mass of the day. For just cause or reason, the bans may be published on two or one Sunday, specifying that it is the first, second and third ban. It must also be posted in the Parish Bulletin if such is printed.

INTERPRETATION

Bans are published in order to bring out in the open any impediments which may exist. It is also to prevent persons from getting married illegally because of some impediment which may not be generally known in the place where the parties get married, and which they can easily hide from the Pastor.

157

The faithful have the serious obligation to inform the local Pastor or Bishop in good time of an impediment known to them.

INTERPRETATION

The matter being of great importance, the Church puts the obligation on the people of reporting any impediment.

158

All Baptized parties must present a valid certificate of Baptism signed by the Pastor and imprinted with the Parish Seal of the Particular Church that this Sacrament was administered.

INTERPRETATION

This Canon refers to members of the Polish National Catholic Church who are getting married in our Church but not in the Parish from which they were Baptized.

159

Should the Pastor find the Baptism of one of the parties be questionable he should re-baptize conditionally.

INTERPRETATION

Should the matter of form of the Baptism be questionable then the Pastor should re-baptize conditionally, before administering the Sacrament of Matrimony.

160

In the case of a non-Polish National Catholic person, they should be instructed according to the Catechism of the Polish National Catholic Church. The non-member should produce a valid certificate of Baptism otherwise, he or she must be conditionally Baptized.

INTERPRETATION

This Canon is self-explanatory.

161

An un-baptized person must not only be instructed in the Christian faith, but must also make an explicit statement of desire to receive Baptism and must be Baptized absolutely not conditionally.

INTERPRETATION

It is up to the Pastor to instruct the party and administer the Sacrament of Baptism when he or she is properly instructed.

162

If either or both parties are not yet Confirmed, then they should receive this Sacrament at their earliest convenience even after marriage.

INTERPRETATION

Since Confirmation is the completion of Baptism it is imperative upon either party to receive this Sacrament before marriage if possible.

163

If either or both parties have been previously married and the spouse is still living, documents of ecclesiastical annulment and civil divorce must be presented to the Pastor.

INTERPRETATION

Under no circumstances will the Sacrament of Matrimony be administered to anyone who has been previously married and has not received a civil divorce and an ecclesiastical annulment. This must be brought to the attention

of the Pastor immediately so that proper procedure may be followed. Such a case must be presented to the Matrimonial Commission of the Diocese before further progress of the Sacrament can take place.

164

If only civil divorce has been established, the Sacramental Marriage cannot be performed by the Pastor until all requirements of the Diocesan Matrimonial Commission are fulfilled and the annulment is granted by the Bishop Ordinary.

INTERPRETATION

Again the Church stresses the importance that the impediment of a previous marriage has. Even though the party has received a civil divorce that is not recognized by the Church. The Priest, under penalty of suspension, cannot administer the Sacrament of Matrimony to anyone who only received a civil divorce.

The Pastor is reminded that no date for the Sacramental Marriage can be set until such time as the annulment is granted by the Bishop Ordinary.

165

The Bishop Ordinary for just cause and reason may dispense with the Bans.

INTERPRETATION

This Canon is self-explanatory.

166

The Pastor should not fail to instruct the couple on the sanctity of the Sacrament of Matrimony, their mutual marital obligation and the duties of parents towards their children.

INTERPRETATION

The Pastor should set up at least three sessions at which both parties are present and there instruct them. There is abundant material available for this purpose and the Pastor is encouraged to avail himself of this material.

167

The Pastor should prepare the bride and groom with confession and Holy Communion.

INTERPRETATION

Though a marriage can be solemnized outside of Mass it should be stressed by the Pastor that receiving this sacrament in the state of grace by receiving the Body and Blood of our Lord is more beneficial to the marriage.

168

If the couple wishes to add to any part of the Marriage liturgy, they must notify the Pastor at least two (2) months before the date of the service.

INTERPRETATION

The Church recognizes the desire of some couples to insert a personal touch to the proceedings, however, the Church does require that it be given the right to verify that what ever is added does not take away from the validity of the Sacrament or its solemnity. The vows may in no way be altered.

It is up to the discretion of the Diocesan Liturgical Commission with concurrence of the Diocesan Bishop as to the use of any para-liturgical celebration within the Marriage liturgy. The pastor must forward any para-liturgical celebration to the Diocesan Liturgical Commission at least two (2) months prior to the wedding ceremony.

As to lay readers chosen for this ceremony, it is incumbent on the pastor to verify that they are qualified and that they should be instructed as to the proper protocol warranted by this duty.

169

All secular music and or musical instruments to be used during the Matrimonial liturgy must be approved by the Diocesan Liturgical Commission. This music and or description of instruments must be sent to the Commission at least two (2) months prior to the date of the ceremony.

INTERPRETATION

This Canon is included to safeguard the sanctity of the Sacrament.

170

The Sacrament of Matrimony must be administered by the words prescribed in the Ritual approved by the Polish National Catholic Church.

INTERPRETATION

The Church recognizes the desire of some couples to insert a personal

touch to the wedding vows. However, this is not liturgically acceptable. Therefore, this is unlawful.

171

The Sacrament of Matrimony may be administered at any time of the year. The Nuptial Blessing however is restricted and forbidden at certain times of the year: the Nuptial Blessing may not be given from the first Sunday of Advent until Christmas Day inclusive, and from Ash Wednesday till Easter inclusive.

INTERPRETATION

In case of dire necessity, permission from the Bishop of the Diocese may be obtained for the Nuptial Blessing during the restricted times. If permission is obtained the couple should be reminded to abstain from all worldly display such as festive receptions. The Priest is also reminded that all liturgical regulations must be observed.

172

Nuptial Blessing are forbidden on Good Friday.

INTERPRETATION

This Canon is self-explanatory.

173

All Polish National Catholic members should be married in their Parish Church.

INTERPRETATION

In case the parties belong to different Parishes of the P.N.C.C. the marriage should take place in the home Parish of the bride. Only in an extraordinary case may the Bishop allow a marriage to take place in a private home or other suitable place for some lawful and reasonable cause.

XXXVII ANNULMENTS

174

The procedure of filing for an Annulment in the Polish National Catholic Church is found in the Matrimonial Commission Report to the Fifteenth General Synod. These procedures are to be followed within the Buffalo-Pittsburgh Diocese.

INTERPRETATION

This Canon is self-explanatory.

175

The only Annulment Questionnaire and Witness Form to be used is the one authorized by the Buffalo-Pittsburgh Matrimonial Commission.

INTERPRETATION

This Canon is self-explanatory.

XXXVIII GROUNDS FOR ANNULMENT

176

The following impediments to marriage are listed, as they form the grounds on which an ecclesiastical annulment or dissolution by be granted, and on which the right of a divorced person to marry in the Church is given.

1) Consanguinity:

- a) One may not marry one's ascendant or descendant.
 - b) One may not marry one's sister or brother.
 - c) One may not marry the sister of brother or one's brother or sister.
- 2) Fraud, coercion or duress, or such defects of personality as to make competent and free consent impossible.

3) Mistake as to the identity of either party.

4) Mental deficiency of either party sufficient to prevent the exercise of intelligent choice.

5) Insanity of either party.

6) Failure of either party to have reached the age of puberty.

7) Impotence or sexual perversion undisclosed.

8) Adultery.

9) Venereal disease in either party undisclosed to the other.

10) No consummation of marriage.

11) Bigamy.

12) Interference in the practice of religion.

13) Premeditated avoidance of pregnancy undisclosed.

14) Undisclosed incurable disease, alcoholism, drug addiction or criminal record.

15) Desertion.

16) Affinity.*

INTERPRETATION

It is incumbent upon the pastor to insure that the petitioners grounds for annulment are validated by one or more of the aforementioned "Grounds for Annulment."

*Affinity was not one of the original grounds for annulment as presented at the 15th General Synod. However, in checking back into the Ancient Canons it was listed as in impediment to marriage and therefore is listed here in our Canon Law. This shall be brought up at the upcoming General Synod. If further information is needed please refer to "Matrimonial Commission of the Buffalo-Pittsburgh Diocese report on Grounds for Annulment in the Church Defined."

REQUIREMENTS TO PETITION FOR ANNULMENT

177

A petitioner for an annulment must be a member in good standing of the Polish National Catholic Church. The following must be complied with before the Petition for Annulment can be submitted to the Chairman of the Matrimonial Commission.

1) Must be a member for a minimum of six (6) months.

2) Active Sacramental, spiritual and social participation within the Parish.

3) Parish financial obligations must be current.

INTERPRETATION

This Canon is self-explanatory. There may be some local parish by-laws which may conflict with this Canon, however, the Commission felt that these three points were sufficient in preparing the Annulment Form.

178

The particulars of the Annulment Petition shall consist of the following:

- 1) Annulment Questionnaire.
- 2) Notarized witness forms.
- 3) Marriage certificate.
- 4) Certified copy of Divorce Decree.
- 5) Pastor's recommendation.
- 6) Court transcript (if available).
- 7) Any additional documents pertinent to the case.
- 8) Annulment fee.

INTERPRETATION

The Annulment Questionnaire, notarized witness forms and Pastor's recommendation must be obtained from the resident Pastor of the petitioner's Parish.

179

No wedding date shall be set until such time as a Decree of Annulment be received by the Pastor from the Ordinary.

INTERPRETATION

This Canon is self-explanatory.

XL RESPONSIBILITIES OF PASTOR

180

The Pastor must be fully aware of the petitioner's previous marriage and subsequent divorce prior to dispensing any annulment forms.

INTERPRETATION

In order to better acquaint himself with the petitioner's situation and to be justified in filling out the "Pastor's Recommendation", this Canon prompts the Pastor to have at least one consultation with the petitioner before any forms are distributed.

Should the situation warrant it, the intended spouse of the petitioner may be present at this or any other consultation.

181

The Pastor should make himself available, on a consulting basis only, to the petitioner during his or hers completion of the Annulment Forms.

INTERPRETATION

This canon admonishes Pastors not to prompt or answer questions for the petitioner. However, if a petitioner fails to comprehend a question the Pastor is to give assistance.

182

It is the responsibility of the Pastor that all documentation, as stated in Canon 178 be properly completed and forwarded to the Chairman of the Matrimonial Commission.

INTERPRETATION

This Canon is self-explanatory.

XLI THE WORD OF GOD

183

The Word of God is a Sacrament in the Polish National Catholic Church.

INTERPRETATION

"Jesus answered him, 'Whoever loves me will obey my teaching. My Father will love him and by Father and I will love him, and my Father and I will come to him and live with him. Whoever does not love me does not obey my teaching. And the teaching you have heard is not mine, but comes from the Father, who sent me.'" John 14:23-26.

"He said to them, 'Go throughout the whole world and preach the gospel to all mankind. Whoever believes and is baptized will be saved; whoever does not believe will be condemned.'" Mark 16:15,16.

"The Word of God heard and preached is proclaimed as a Sacrament, for it is the effectual working of the Word of God, that brings to man the Divine Word. Likewise, it is, through the Word of God, that one becomes united with Christ and in him is reborn again. By this Sacrament the National Church exalts and enshrines the record and teachings of Christ, as the Living Word of God."

"God addressed mankind most plainly through Jesus Christ. When, therefore, a Priest of the National Church takes from the treasury of Eternal

Light, strength and life; when he repeats the Gospel of the Savior in the self same spirit, as the great mediator showed toward mankind; when he interprets, simplifies, extends and sounds its depths, according to the needs of the time, he is fulfilling the highest duty attainable by man, for he is proclaiming the will of God, eternal, holy and creative laws." Polish National Catholic Church, Prime Bishop Thaddeus Zieliński, Pg. 42; 58.

XLII FAST AND ABSTINENCE

184

By fasting it is understood that only one full meal on that day is to be taken. It does not forbid taking some nourishment in the morning and evening, observing, however, as to the quantity and quality.

INTERPRETATION

Though this Canon does not specify when the full meal should be taken, it is understood that only one full meal is to be eaten on a Fast Day. It is up to the individual to select which meal of the day should be the full meal.

If more nourishment is required by an individual the law allows an individual to partake of nourishment two additional times during the day. However, the total amount of food consumed during these two additional times must be less than the full meal. Eating between meals is not permitted, but liquids, including milk and fruit juices, are allowed.

185

The law of abstinence forbids the eating of meat, but not dairy products, nor condiments of any kind, even though made from animal fat.

INTERPRETATION

During the days of abstinence the faithful are forbidden to consume the flesh meat of warm-blooded animals and all parts of such animals. This does not include meat juices and liquid foods made from meat.

186

The Fast is to be observed on the following days: Everyday during the Great Lent. Sundays and Solemnities are excluded from the Fast.

Abstinence is to be observed on the following days: Fridays throughout the year. Sundays and solemnities are excluded from abstinence.

Fast and Abstinence are to be observed on the following days: Fridays of Advent; Vigil of the Nativity of our Lord; Ash Wednesday; Wednesdays and Fridays of Great Lent; Good Friday; Holy Saturday; Vigil of Pentecost; Rogation Days (Monday, Tuesday, and Wednesday preceding the Feast of the Ascension); Ember Days (First Wednesday, Friday, and Saturday of each season). Sundays and Solemnities are excluded from Fast and Abstinence as well as Parish Solemnities.

INTERPRETATION

This Canon is self-explanatory.

187

The laws pertaining to Fast and Abstinence binds all from the time of First Holy Communion to the age of 65.

INTERPRETATION

This Canon is self-explanatory.

188

The following receive dispensation from the regulation of Fast and Abstinence: Those under medical care; Shut-ins and those in Old Age or Nursing Homes; Those in active Armed Services.

INTERPRETATION

This Canon is self-explanatory.

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