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# **STATUTES OF THE INTERNATIONAL FRATERNITY OF THE SECULAR FRANCISCAN ORDER**

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# **STATUTES OF THE INTERNATIONAL FRATERNITY OF THE SECULAR FRANCISCAN ORDER**

## **INTRODUCTION**

The Secular Franciscan Order (SFO) is a public association within the Church (cfr. GC Art. 1.5). "It consists of Fraternities at local, regional, national and international levels" (Rule 20), co-ordinated among themselves in conformity with the provisions of the Rule and of the General Constitutions. To promote the life of the International Fraternity and to provide for its organization and functioning, the Secular Franciscan Order establishes and adopts the present Statutes (cfr. GC Art. 6.1; CIC 304.1 can.).

## **THE INTERNATIONAL FRATERNITY**

### **Definition and Organisation**

#### **Article 1**

The International Fraternity of the Secular Franciscan Order (FIOFS):

- 1.** is formed by the organic union of all the Catholic Secular Franciscan Fraternities in the world. It corresponds to the SFO in its entirety. It has its own juridical personality within the Church (cfr. Rule 2; GC Art. 69.1);
- 2.** is organised and functions in conformity with the Rule, the General Constitutions, the Ritual and the present Statutes (cfr. GC Art. 69.1);
- 3.** is guided and animated by the International Council of the Secular Franciscan Order (CIOFS), its Presidency and the General Minister (or International President), who together ensure the observance and fulfilment of the Rule, the General Constitutions and the Ritual (cfr. GC Art. 69.2; 92.2);
- 4.** has its own juridical personality in the State of Italy; its seat is in Rome, Italy, and its official name is **ORDO FRANCISCANUS SAECULARIS**;
- 5.** has four official languages for communication and correspondence: English, French, Italian and Spanish.

### **Governing Bodies of the International Fraternity**

#### **Article 2**

The governing bodies of the International Fraternity of the SFO are:

- the International Council (CIOFS);
- the CIOFS Presidency;
- the Minister General.

# THE INTERNATIONAL COUNCIL

## Composition

### Article 3

The International Council (cfr. GC. Art. 70.1) consists of :

- International Councillors elected by the National Fraternities;
- secular members of the Presidency of the International Council of the SFO;
- representatives of the Franciscan Youth;
- the four General Assistants of the SFO.

### International Councillors Representing National Fraternities

### Article 4

1. Every National Fraternity, formally constituted by the Presidency of the International Council of the SFO, has the right to one representative on the International Council (cfr. GC Art. 66.2.g).
2. Emerging National Fraternities, representation in the International Council of the SFO can be assured, with the approval of the Presidency, through:
  - a. International Councillor of a nearby National Fraternity; or
  - b. constitution of a group of National Fraternities that present similar situations and characteristics. The group of National Fraternities will have the right to one International Councillor. To assure an equitable representation in the International Council of the SFO, the National Fraternities concerned will also propose to the Presidency of the International Council of the SFO the method of rotation or of alternation among themselves.

### Article 5

1. The representative of the National Fraternity, to which Art. 4.1 of the present Statutes refers, may be, in conformity with his or her National Statutes, the National Minister or an International Councillor elected for the purpose, who will become a member of the National Council. He or she is elected by the National Chapter in conformity with the General Constitutions, the present Statutes and the respective National Statutes.
2. In conformance with its regulations, the national Chapters will elect a substitute for the international councillor, who will act in the absence of the incumbent. The right to vote, either within the Council or in the Chapter, can be exercised only in the absence of the incumbent, unless the substitute has the right to vote for reasons of holding another office.
3. For the election of the International Councillors to which Article 4.2.b of the present Statutes refers, the procedure will be by means of a proposal to which all the National Fraternities concerned have agreed. When the Fraternities concerned meet difficulties in arriving at an agreement, the Presidency will designate the Councillor from among the nominees proposed, and will give notice of the designation to the Councils concerned.
4. The term of office of the International Councillors and their substitutes is three years. They may be re-elected for consecutive periods according to the regulations of the General Constitutions, Art. 79.3.

## **International Councillors Representing Franciscan Youth**

### **Article 6**

The Presidency of the International Council of the SFO, after consulting the National Councils of the SFO and of the Franciscan Youth, will determine the number, maximum six, and the method of election of the International Councillors representing the Franciscan Youth (GC. 97.5).

### **Duties of International Councillors**

#### **Article 7**

**1.** The duties of the International Councillors of the SFO are (cfr. GC Art. 75):

- a. to participate in the General Chapter;
- b. to speak during the General Chapter in the name of the National Fraternity that they represent, and to present what has been entrusted to them by decision of their respective National Council;
- c. to present to the General Chapter, in the manner established by the Presidency, the report prepared and approved by the respective National Council, including updated statistical data.
- d. to inform their National Fraternity of the decisions made and the initiatives undertaken by the General Chapter;
- e. to maintain frequent and regular contacts of communication and dialogue with the Presidency of the International Council of the SFO, with the Minister General, with the Secretariat, as well as with his or her own National Council.

**2.** With the proper adaptations, the duties described apply to the International Councillors representing emerging national Fraternities or Franciscan Youth Fraternities. Together with the Presidency of the International Council of the SFO, they shall contribute to the development and consolidation of the Fraternities they represent.

### **Vacancy and Removal Provisions**

#### **Article 8**

**1.** When the office of the International Councillor remains vacant due to death, renunciation, or another impediment of a definitive character, the person elected as substitute (Art. 5.2 of the present Statutes) takes up the duty until the end of the mandate for which the Councillor was elected. The National Council concerned informs the Presidency of the International Council of the SFO and elects a new substitute within six months.

**2.** The request to renounce the office of International Councillor must be presented in writing to the National Council concerned, which has the competency to accept the request.

**3.** The removal of an International Councillor, negligent in his or her duties in a continual form or manner, is the competency of the National Council to which the Councillor belongs and is expressed by a secret ballot after a fraternal dialogue with the person concerned (cfr. GC 84.3). In the case of inertness of the National Council, the regulations of the General Constitutions, Art. 84.6 apply.

## Meetings of the International Council

### Article 9

The International Council, meeting in Assembly, constitutes the General Chapter of the Secular Franciscan Order (cfr. GC Art. 70.3). Members of the General Chapter with full rights are those indicated under Art. 3 of the present Statutes. In the case of an elective chapter, both the outgoing and the incoming Presidency are members.

## The General Chapter

### Article 10

#### 1. The General Chapter

- a. is the highest governing organ of the SFO, with legislative, deliberative and elective powers (cfr. GC Art. 70.3);
- b. is convoked by the Minister General, with the consent of the Presidency of the International Council of the SFO. The convocation is made preferably with six months' notice and, in any case, not less than three months, and by means of communication in the official languages of the International Council (cfr. GC Art. 74.2.b);
- c. meets as an elective General Chapter once every six years (cfr. GC Art. 70.4) to elect the Minister General and the secular members of the Presidency of the International Council of the SFO;
- d. meets in plenary at least once between two elective General Chapters;
- e. gives orientations for the development of the life of the SFO ;
- f. has the competency to give a practical interpretation of the General Constitutions (cfr. GC Art. 5.2);
- g. clarifies and resolves the questions and/or problems that are submitted to it;
- h. comments on the report of the Minister General;
- i. comments on the financial report, and on the verification of the financial and patrimonial management of the Presidency;
- j. approves a three-year budget for the International Fraternity and the Presidency, in which the projected costs and the "pro capite" quota for the annual financial contribution are fixed.

2. Observers and experts with a consultative function may be invited to the General Chapter, at the discretion of the Presidency.

3. The General Chapter will be carried out in conformity with its own Regulations.

4. The deliberations, agreements and decisions made by the General Chapter must be approved by the absolute majority, i.e. more than half of those present (cfr. CIC 119. can), except for cases in which a qualified majority, i.e. two thirds of those present, is required.

5. The proposals voted as suggestions or "desiderata", that require further reflection by the Presidency or by appropriate study Commissions appointed by the Presidency, have only an indicative character.

# THE PRESIDENCY OF THE INTERNATIONAL COUNCIL OF THE SFO

## Composition of Presidency

### Article 11

1. The Presidency is composed of (cfr. GC Art. 72.1):
  - the Minister General;
  - the Vice-Minister;
  - seven Presidency Councillors;
  - a member of the Franciscan Youth;
  - the four General Assistants of the SFO.
2. Every elective General Chapter determines the areas to be represented, based on linguistic, cultural and geographical criteria (cfr. GC Art. 72.2).

## Election of the Presidency

### Article 12

1. The General Chapter of the SFO elects the secular members of the Presidency of the International Council of the SFO according to the norms of the General Constitutions and of the present Statutes.
2. For their election, the following characteristics must be considered (cfr. GC Art. 77.3):
  - a. the competency and the readiness to deal with the affairs of the Order at the international level;
  - b. the knowledge of one of the four official languages of the SFO, in addition to their own when it is not one of the official languages of the International Fraternity.
3. The Presidency members will be elected by absolute majority in the first two ballots and, in the eventuality of a third ballot, the candidate who has obtained the largest number of votes is elected (cfr. GC 78).
4. The Minister General, the Vice Minister and the Presidency Councillors may be elected only for two consecutive six-year periods (cfr. GC 79.4).
5. If the Minister General elected is not present at the Chapter, he or she must be called urgently to be present. If he or she cannot come, his or her acceptance will be requested by the most efficient and reliable means. When the Chapter has received the acceptance, it continues under the presidency of the Vice-Minister or, in his or her absence, of the Presidency Councillor who is older by profession in the SFO.
6. The term of office for the Presidency Councillors is six years. Their office is incompatible with the office of National Minister or International Councillor.

## Duties of the Presidency

### Article 13

1. In addition to the duties described under Article 73 of the General Constitutions, the Presidency of the International Council of the SFO is responsible:
  - a. to clarify specific points of the General Constitutions with validity until the next General Chapter (cfr. GC Art. 5.2-3);
  - b. to identify the criteria for achieving adequate formation and preparation of leaders and formators; to collaborate in identifying the criteria for the formation and preparation of the spiritual assistants;

- c. to ensure that the proper rights of the International Fraternity are guaranteed in the civil forum;
- d. to give consent to the Minister General for the convocation of the General Chapter (cfr. GC Art. 74.2.b);
- e. to support emerging Fraternities (cfr. GC Art. 46.3), taking care of their establishment, growth and maturation, normally through the particular Councillor of the Presidency concerned;
- f. to approve the establishment of new National Fraternities (cfr. GC Art. 65.2);
- g. to approve National Statutes (cfr. GC Art. 6.2);
- h. to decide on the fraternal visit to the National Fraternities, even if not requested, when required by circumstances (cfr. GC Art. 92.3);
- i. to examine and decide on all the disputes that may arise within the Fraternities at the various levels, always provided that they have been defined by the Councils of the lower levels. The decision on the matter treated may be contested only before the Holy See (cfr. GC Art. 59; 84.4);
- k. to decide, in addition to the powers of the Minister General, on the concession of powers of legal representation, which it may consider to be opportune, to the Presidency Councillors;
- l. to decide on the destination of available funds and, in general, on the financial affairs of the International Fraternity;
- m. to set up commissions as necessary for the achievement of the aims and objectives established by the General Chapter and to assign specific duties to individual Councillors;
- n. to guarantee and approve the adequate translation of the official documents of the SFO;
- o. to request suitable and prepared General Assistants from the respective Ministers General of the First Order and the TOR, who have the competency to appoint them (cfr. GC Art. 91.2.a);
- p. to confirm the election of the International Councillors as provided for in Articles 4.2.b and 6 of the present Statutes.
- q. to appoint the General Secretary, the General Treasurer, and the Assistant Accountant;
- r. to distribute the responsibilities of communication among the Presidency Councillors and the International Councils included in the respective areas of responsibility.

**2.** The Presidency entrusts one of its members with the duty to closely follow up the field of justice, peace and safeguard of creation, the ecumenical and inter-religious dialogue and all those situations which require immediate intervention.

**3.** To facilitate the duties of the Minister General, the Presidency may designate one of its members to closely follow up the activity of the Secretariat in order to identify the current activities and those requiring immediate notification to the Minister General. This Councillor may be delegated by the Minister General to keep up ordinary contacts with the General Curias of the First Order and TOR, with the ecclesial bodies and the civil authorities in Rome, keeping the Minister General continuously updated and following his or her directives.

### **Duties of the Presidency Councillors**

#### **Article 14**

**1.** The duties of the Presidency Councillors are:

- a. to share, in a spirit of collegiality, the responsibility of the Minister General in the tasks of animation and guidance of the entire Order (cfr. GC Art. 73.b);
- b. to participate in the meetings of the Presidency and in the General Chapter;

- c. to exercise the functions that are entrusted to them by the Presidency;
  - d. to maintain continual communication with the International Councillors and with the National Councils of their respective areas of responsibility;
  - e. to foster international contacts in the area of their responsibility.
2. The Presidency may entrust the task of helping in the animation of the National Fraternities to the Councillor of the area, if necessary.
  3. The Presidency may entrust to one of the Presidency Councillors the co-ordination of possible Congresses, meetings, etc. among the National Fraternities of the respective area, collaborating actively in their organization.
  4. With proper adaptations, the duties described apply to the Presidency Councillor representing the Franciscan Youth.

### **Meetings of the Presidency**

#### **Article 15**

1. The Presidency meets at least once each year or when at least a third of the members requests it.
2. For the validity of the resolutions of the Presidency, the presence of at least two-thirds of its secular members is required.
3. International Councillors, consultants and observers may be invited to the meetings of the Presidency for the purpose of consultation and providing information.
4. The General Secretary and the Treasurer participate in the meetings of the Presidency, without a deliberative vote, to carry out their duties.

### **Vacancy and Removal Provisions**

#### **Article 16**

1. When the office of Minister General becomes vacant through an impediment of a definitive character, the Vice-Minister assumes the functions until the end of the period for which the Minister was elected (cfr. GC Art. 81.1).
2. To fill the office of Vice-Minister, the Presidency of the International Council of the SFO elects a person from among its own members, with validity until the next elective General Chapter (cfr. GC Art. 81.2).
3. When the office of a Councillor of the Presidency becomes vacant, the Presidency elects one of the International Councillors of the same area, with validity until the next elective General Chapter (cfr. GC Art. 81.3).
4. In the case of grave negligence on the part of a Presidency Councillor, the Minister General will establish a fraternal dialogue with the person concerned and, if necessary, propose the removal with the consent of the Presidency, expressed by a secret ballot. (cfr. GC Art. 84.3).
5. If the negligence is on the part of the Minister General, the Councillors of the Presidency will manifest their concerns in a fraternal dialogue with him or her. If this dialogue does not produce a positive result, the Presidency Councillors will request the intervention of the Conference of Ministers General of the First Order and of the TOR, through a pastoral visit, and, if necessary, they will propose the removal of the Minister General (cfr. GC Art. 84.1 and 5).



## **THE MINISTER GENERAL AND VICE-MINISTER GENERAL**

### **Duties of the Minister General**

#### **Article 17**

1. The Minister General of the SFO is the visible and effective sign of the unity and communion within the Secular Franciscan Order.
2. In addition to the duties described under Article 74.2 of the General Constitutions, the Minister General is responsible:
  - a. to represent the SFO before the Holy See, excepting that which is foreseen in the General Constitutions under Article 87.2;
  - b. to ensure that tasks entrusted to the Presidency Councillors are carried out;
  - c. to entrust to the Secretariat the powers necessary for carrying out the resolutions of the Presidency and of the General Chapter within the limits of the responsibilities proper to the Secretariat;
  - d. to present to the General Chapter a report on the situation of the Order at the world level, a report on the activity of the International Council of the SFO and of the Presidency and the state of the financial accounts.

### **Duties of the Vice-Minister General**

#### **Article 18**

The duties of the Vice-Minister General are:

- a. to collaborate with the Minister in a fraternal spirit and to support the Minister in carrying out his or her service;
- b. to exercise the functions that are entrusted to him or her by the Chapter and/or the Presidency;
- c. to substitute the Minister in his or her competencies and responsibilities in the case of absence or temporary impediment;
- d. to assume the office of Minister when the office remains vacant (cfr. GC Art. 81.1).

## **SECRETARY AND SECRETARIAT**

#### **Article 19**

1. The International Council has its own Secretariat. Its structure and seat in Rome are established by the Presidency, taking into account its operative requirements.
2. The Secretariat will be entrusted to the care of the General Secretary. The ordinary administrative functions are carried out within it under the direction of the Minister General and/or the designated Presidency Councillor. The Acts of the General Chapters and of the meetings of the Presidency, the documents and the archives of the Secular Franciscan Order are preserved there.
3. The General Secretary is a professed Secular Franciscan, not a member of the International Council; appointed by the Presidency with the following responsibilities:

- a. to ensure constant connection between the Secretariat and the Minister General using the quickest means of communication (electronic mail, fax, etc.);
  - b. to compile the acts of the meetings of the Presidency Council and send them to their respective recipients;
  - c. to keep the archives of the Order up to date;
  - d. to communicate important events to the National Fraternities and to the ecclesial and/or social areas;
  - e. to fulfil all the other tasks entrusted to him or her.
- 4.** After consulting the Minister General, the General Secretary may choose from among the members of the Secular Franciscan Order some volunteers to help him or her in the task. When necessary, he or she may ask the Presidency to take in one or more technicians.
- 5.** The General Secretary is entitled to a fixed expense reimbursement established by the Presidency.

## **TREASURER AND FINANCE COMMISSION**

### **Article 20**

- 1.** For the financial and patrimonial management of the International Fraternity, the Presidency of the International Council will appoint a Treasurer and establish a Finance Commission, of which the Treasurer is a member by right.
- 2.** The Treasurer is a professed Secular Franciscan, not a member of the International Council of the SFO. He or she is appointed by the Presidency with the following responsibilities:
  - a. to administrate the general fund of the International Council of the SFO under the direction of the Presidency;
  - b. to work through a bank account and to sign the cheques or orders of payment jointly with the Minister General or another secular member of the Presidency designated for that purpose;
  - c. to ask for the annual contributions from the Councils of National Fraternities, both constituted and emerging;
  - d. to present every year, in the first meeting of the Presidency, the balance sheet of the preceding financial period, comparing it with the corresponding budget;
  - e. to prepare for the General Chapter a balance sheet for the three previous years and a budget for the three following years;
  - f. to fulfil the administrative and fiscal obligations foreseen by the Italian legislation.
  - g. In performing his/her duties, the Treasurer will be assisted by an Assistant Accountant, also appointed by the Presidency, to carry out and to execute the administrative tasks; this person will be chosen preferably among the members of the SFO.
- 3.** The Presidency will take the opportune initiatives to insure the Treasurer against the risks connected with the management of the funds of the International Council of the SFO.
- 4.** The Treasurer and the Assistant Accountant will be reimbursed for their expenses by means of a fixed amount established by the Presidency.

## **Article 21**

The Finance Commission will be responsible:

- a. to prepare a three-year budget, that must be approved by the General Chapter;
- b. to compare the financial statement with the budget, to point out any differences to the Presidency and to propose practicable solutions;
- c. to verify, together with the accountant appointed by the Minister General, the financial and patrimonial situation of the International Fraternity that he or she has prepared, in order to illustrate the results at the General Chapter (cfr. GC Art. 74.2.m)

## **Financial Contributions**

### **Article 22**

1. To attend to the necessities of the international Fraternity, the National Fraternities – constituted and emerging – must bear in mind and conform to that outlined in art. 25 of the Rule and art. 30 of the General Constitutions.
2. To cover the expenses of the activities of the Presidency and the Secretariat, a minimum annual contribution “pro capite” must be paid to the CIOFS Treasurer within the first six-months of the civic year, without excluding other contributions depending on the financial possibilities of each national Fraternity – constituted and emerging – in the spirit of sharing goods.
3. The CIOFS Presidency promotes and manages specific funds to assist its own eventual needs and the urgent necessities of the national Fraternities – constituted and emerging.

## **FRATERNAL AND PASTORAL VISITS**

### **Article 23**

1. The fraternal and pastoral visits will be carried out according to the spirit of the Rule, the dispositions of the General Constitutions (Art. 87.2; 94; 95) the present Statutes and the Statutes for Spiritual and Pastoral Assistance to the SFO.
2. For a better development of the visits, whether fraternal or pastoral, the Visitors will prepare beforehand, taking care:
  - a. to obtain from the Secretariat reports on the previous visits and any other important information;
  - b. to communicate to the Councils concerned the program and the purpose of the visit;
  - c. to ask the Councils of the National Fraternities for an updated report on the situation of their Fraternity;
  - d. to be open to the suggestions of the Fraternity concerned.
3. Normally within two months following the visit, the Visitor will compile a report of the visit, with his or her recommendations, addressing it to the Council concerned and to the Presidency. If not jointly compiled, these reports must be exchanged between the fraternal and pastoral Visitors and are preserved in the archives of the General Secretariat.
4. The Visitor may not make decisions about matters that require collegial deliberations of the Presidency, according to the norms of the General Constitutions and of the present Statutes. In such a case, he or she will inform the Presidency, and the visit, if necessary, will remain open.
5. The Presidency, after an adequate lapse of time, will ask the Council visited for information on the deliberations and on the decisions made as a consequence of the visit.

## COMING INTO FORCE AND AMENDMENTS OF THE STATUTES

### Article 24

1. The Statutes of the International Fraternity come into force when approved by the General Chapter (cfr. GC Art. 6.1).
2. The Statutes of the International Fraternity may be amended by the General Chapter at the proposal of the Presidency or one third of those present at the Chapter.