

# STATUTES OF THE GOVERNING UNION OF RUSSIAN ORTHODOX ASSOCIATIONS

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*Note : The Statutes are composed in the style necessary for a legal document under French civil law. This translation is intended to be provisional; it is not a definitive translation for use in any legal negotiations or process.*

## Chapter 1.

### STRUCTURE, AIM, RESOURCES

#### Article 1. Constitution

This association is under the pastoral direction of an Archbishop according to the tradition of the Orthodox Church of the Greco-Russian rite. It takes as its title “The Governing Union of Russian Orthodox Associations” (hereinafter referred to as ‘**the Archdiocese**’), founded on 26 February, 1924 (*Journal Officiel*, 28.2.1924, No. 58, p. 2080) and is made up of associations for religious worship (*association cultuelles*)<sup>1</sup> of Orthodox origin or of Russian Church tradition, all established in law, gathered in a Governing Union of Associations, in conformity with the provisions of the Law of 1 July 1901 and of the Law of 9 December 1905 and of the Decree of 16 March 1906.

The Archdiocese’s aim is the exercise and co-ordination of worship in strict conformity with the Greco-Russian Orthodox rite and with the decisions of the Pan-Russian Council of 1917-1918, celebrated at the heart of its member associations as well as, more generally, responding to the spiritual and religious needs of those who belong to these associations whilst respecting the doctrine and canon law of the Orthodox Church.

The Archdiocese and its member associations are governed in their liturgical, pastoral, canonical and spiritual life by the rules of the Orthodox Church according to the Russian tradition, as they are contained in the collection of canons of the Holy Apostles, the Holy Ecumenical Councils, local Councils and Church Fathers, as well as in the decisions of the Council of Moscow of 1917-1918. The present Statutes and any eventual Internal Regulations are intended to specify their methods of application.

The Statutes do not have any expiry date.

#### Article 2. Boundaries

The Archdiocese extends its administrative and moral authority over the Orthodox member associations (parishes, monastic communities and other ecclesial institutions) that have been established in France and other countries of Western Europe wherever there are organizations officially affiliated to it.

#### Article 3. Composition

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<sup>1</sup> An *association cultuelle* is a body recognised in French law which provides or facilitates rites of religious worship. These associations were established under the 1901-6 legislation of the French Republic separating Church and State. The nearest equivalent in English law would be a charity established for the advancement of religion.

The Archdiocese is composed of those member associations accepted by its presiding Archbishop, upon consultation with the Administrative Council (also known as the Council of the Archdiocese, hereinafter referred to as “**the Administrative Council**”)

There is an intrinsic sacramental link between the Archdiocese and its Archbishop. The Archbishop grants ecclesiastical Founding Statutes to the associations for worship (parishes, monastic communities and other institutions).

The member associations contribute also to the expenses of the Archdiocese according to the methods described in Chapter 2.

#### **Article 4. Membership of the Archdiocese**

A request to join is formulated by the association that proposes to become a member of the Archdiocese. It may be accepted or rejected by the Archbishop after advice from the Administrative Council

#### **Article 5. Expulsion**

Membership of the Archdiocese is lost upon a declaration of expulsion by the Administrative Council for serious causes or for refusal to contribute to its expenses, subject to the right to lodge an appeal to the General Assembly. The officers of the expelled association (its president, vice-president, secretary and treasurer) will be required to provide explanations which will be brought to the attention of the General Assembly prior to any decision being made.

The expelled association loses the right to present itself as belonging to the Archdiocese.

During the process of expulsion, both sides must act with due respect for the Canons of the Orthodox Church.

#### **Article 6. Title**

In its legal instruments and ecclesial documents the Archdiocese bears the title of “Archdiocese of the Russian Orthodox Parishes in Western Europe” (herein referred to as “**the Archdiocese**”).

#### **Article 7. Canonical and historical background**

The Archdiocese is the legal successor and direct continuation of the “Provisional Administration of Russian Parishes in Western Europe” founded by Patriarch Saint Tikhon of Moscow and entrusted to Archbishop Evlogii (Decrees of 8 April 1921, Nos. 23 and 24) with the agreement of Metropolitan Saint Benjamin of Petrograd who until then had held jurisdiction over the institutions of the Russian Orthodox Church in Western Europe (Letter dated 21 June 1921), then replaced by a “Temporary Russian Orthodox Exarchate of the Holy Apostolic, Patriarchal See of Constantinople in Western Europe” established on a provisional basis by Ecumenical Patriarch Photios II (Charter of 17 February 1931) at the request of Metropolitan Evlogii.

The latter, deprived of the possibility of maintaining regular, normal links with its historic centre (the latter being subjected to an atheist, anti-religious power that had let loose a bloody persecution against the Church and its faithful members), started along this road due to its concern for safeguarding intact those communities entrusted to it and for maintaining their communion with the fullness of the Orthodox Church under the protection of the Ecumenical Patriarch, *primus inter pares* in the Orthodox episcopate (statute confirmed by Patriarch Benjamin, Letters of 23 January 1937 and of 22 December 1939, as well as by Patriarch Maximos, Letter of 6 March 1947).

After the Exarchate had been closed by Patriarch Athenagoras I (letter of 22 November 1965), the Extraordinary General Assembly of 16-18 February, 1966 noted that the hitherto “provisional” nature of its ecclesial structures had no further reason to exist, since they were made up of members of the third (even, today, the fourth) generation descended from Russian or other emigrants and definitively settled in their adoptive countries, besides a growing number of Orthodox of Western ancestry.

The Archdiocese was then called “Archdiocese of Orthodox Churches of France and Western Europe” and, after five years under that new form of canonical organization, it was reintegrated within the Patriarchate of Constantinople as a unified ecclesial body with a special statute of internal autonomy (Charter of Patriarch Athenagoras I of 22 January, 1971).

This statute allowed the Archdiocese to keep its distinctive liturgical and administrative character originating in the long, holy Russian Orthodox Tradition, whilst under obedience to the Patriarchate of Constantinople. It has guaranteed its freedom from influences external to the Church and contributes to its witness and rootedness in the Holy Orthodox Faith in the countries of Western Europe where the Archdiocese was founded by Divine Providence (Declarations of the General Assemblies of October 1949 and February 1966). Since then, the Archdiocese has been under the canonical authority of the Ecumenical Patriarch.

#### **Article 8. Official (legal) address**

The official address of the Archdiocese for legal purposes is the St. Alexander Nevsky Cathedral, 12, rue Daru, 75008 Paris, France).

The Archdiocesan offices are at the same address. The latter may be moved elsewhere as the result of a decision of the Administrative Council

#### **Article 9. Civil regulation**

The Archdiocese is administered within the territory of the French Republic in conformity with current [civil] legislation in force and with the present Statutes as lodged with the French authorities.

The member associations are subject to the legislation prevailing in their respective countries and are administered according to their statutes. In the case of legal disputes, members of the Archdiocese agree to give precedence to the jurisdiction of the courts based in Paris.

## **Article 10. Internal Regulation**

The Administrative Council may, if it thinks it necessary, decide the text of an Internal Regulation, to fix the details for carrying into effect the present Statutes.

This ruling would then be submitted for approval by the General Assembly, as would any proposed amendments to it.

## **Article 11. President**

The Archdiocese and its member associations are placed under the administrative authority and spiritual, pastoral and moral guidance of a ruling Bishop with the rank and title of Archbishop, derived from his obedience to His Holiness the Ecumenical Patriarch of Constantinople.

The Archbishop is the President of the Archdiocese.

## **Article 12. Objects**

The Archdiocese has as its objects the carrying out of worship as defined by Paragraph 2 of Article 1, of defraying the costs and providing for the needs of that worship, and of co-ordinating the activity of member associations for bringing about those objects. To this end, the Archdiocese has the following duties:

1. to supervise the organization of worship and pastoral, spiritual and liturgical life among member associations;
2. to ensure the recruitment of ministers of worship (hereinafter called “clergy”) for the associations in consultation with their leaders and to supervise the quality of pastoral service;
3. to ensure the co-ordination of the charitable and educational activities of the member associations;
4. to act as the body providing assistance to, and liaison between, the member associations;
5. to supervise the teaching and activity of a religious, moral and humanitarian character among the member associations;
6. to represent all the member associations before the civil authorities and also to represent their interests before the authorities of other Orthodox Churches and with the leaders of other confessions;
7. to enquire into and resolve any differences between its members;
8. to diffuse theological knowledge and promote spiritual education in conformity with the teaching of the Orthodox Church;

9. to keep, store and deliver, when necessary, documents setting out the relations of the associations with the Archdiocese, as well as certificates and formal statements relating to the receiving of the Sacraments by members of these associations;
10. to manage the property and resources of the Archdiocese.

### **Article 13. Resources**

The resources are provided by:

1. the annual subscriptions made by the member associations (6% of the income of the member associations for religious worship);
2. collections;
3. dues paid by member associations (levy on the sale of candles and other items);
4. fees charged for the production of documents and administrative certificates;
5. income from the Archdiocese's property;
6. gifts and legacies both of personal and real estate made over to the Archdiocese by individuals or corporate bodies in conformity with the legislation regulating the association for religious worship;
7. any other lawful sources.

### **Article 14. Accounting**

The Archdiocese shall maintain an accounting system and produce an annual statement of accounts.

Each member association must keep proper accounts and undertakes to produce them to the Archdiocese immediately following its annual general meeting.

## Chapter 2

### COLLECTIVE AGENCIES

#### I. Arrangements common to all General Assemblies

##### Article 15. Composition

The General Assembly of the Archdiocese (hereinafter referred to as: “the General Assembly”) represents the entirety of the members of the Archdiocese and its decisions, after confirmation by the Archbishop, are binding upon each one of them within the limitations fixed by the regulations in force and the present Statutes as well as with respect to the respective statutes of its members.

##### Article 16. Members

The sitting members of the General Assembly are:

1. all members of the clergy (bishops, priests, and deacons) *ex officio* and whether or not retired, who are canonically attached to the Archdiocese. All priests and deacons must be assigned to a parish or community by an official document specifying their assignment;
2. all readers (*psalomshchiki*) assigned officially to a parish by the Archbishop, *ex officio*;
3. the members of the Administrative Council;
4. lay representatives of the member associations officially registered by the Administrative Council as parishes or communities. These representatives are elected as delegates to the General Assembly of the Archdiocese with a three-year mandate by the general assemblies of the member associations. The number of laypersons sent by each one is equal to the number of members of the clergy and readers assigned to the parishes;
5. a delegate representing the St Sergius’ Institute of Orthodox Theology in Paris. This delegate is chosen from among the teaching staff and must be in the Archdiocese’s jurisdiction;
6. two delegates for each monastic community comprising more than ten monks or nuns and recognized officially by the Archdiocese, and one delegate for monastic communities comprising between three and ten monks or nuns;
7. one delegate per Orthodox association placed under the spiritual authority of the Archdiocese, the list of which is established by the Administrative Council;
8. one delegate for each chapel of an old people’s home attached to a parish and served by the clergy of the Archdiocese, the list of which is established by the Administrative Council.

## **Article 17. Lay delegates**

1. Parishioners eligible to be delegates to the General Assembly must:
  - a) be over 25 years old;
  - b) be registered members of the parish of more than one year's standing;
  - c) take part in parish life;
  - d) represent only one parish;
  - e) be of good behaviour in liturgical and canonical matters;
  - f) not have been convicted by a court of law and incurred a criminal record.
  
2. Parishes which have not fulfilled their financial undertakings towards to the Archdiocese cannot send delegates to the General Assembly. Exceptions to this rule, for serious reasons, may be agreed by the Archbishop on consultation with the Administrative Council after the parish has made a written request accompanied by an explanation. These exceptions must be reviewed annually.

## **Article 18. Powers**

No member may be represented at the General Assembly by a substitute other than an elected alternate. There are no proxy votes. Only members present at the General Assembly can participate in voting at the General Assembly. During voting by secret ballot a "no" may be indicated only by means of either a blank ballot or a "no" ballot.

## **Article 19. Place**

The General Assembly meets at the headquarters of the Archdiocese or in any other place chosen by the Administrative Council

## **Article 20. Convocation**

The General Assembly is convened by the Archbishop, either within the time frame of the usual intervals provided for by the statutes for the Ordinary General Assemblies, or for a special reason in the case of Extraordinary General Assemblies. Notice must be sent at least two months before the date of the meeting to all rectors and priests in charge of parishes, monastic communities, the Institute of Orthodox Theology, retirement homes and to leaders of Associations.

Notice must comprise, besides the agenda, reminders of:

- a) the obligation that these bodies should proceed to the election of delegates to the General Assembly;
- b) the conditions that delegates must fulfil;
- c) the conditions for candidature to the Administrative Council, if the latter is being renewed;
- d) the obligation to return to the Administration of the Archdiocese, at least one month before the anticipated General Assembly, the list of elected delegates and of their alternates and the names of possible candidates for



election to the Administrative Council (in conformity with the terms of article 30), as well as copies of the minutes of those parish assemblies that have proceeded to the elections of delegates to the General Assembly of the Archdiocese.

Notice with the same reminders as those referred to above, with the exception of points a) and d), must be sent again to the different delegates elected by the above-mentioned bodies.

#### **Article 21. Mandates Committee**

The Council of the Archdiocese selects, before the meeting of the General Assembly, a Mandates Committee composed of four members (two priests and two laypersons), chosen from among those members lawfully sitting on the General Assembly

The Mandates Committee is charged with proceeding with all the preliminary checking as well as with verifying, when the session of the General Assembly begins, the delegates' mandates and with establishing the register of attendance.

#### **Article 22. Attendance register**

For every General Assembly a register of attendance is kept containing the names of members present and the bodies that they represent. This register, duly initialled by the members, is certified as accurate by the Board of the General Assembly (cf. Article 23, § 3) and lodged at the Archdiocese's headquarters.

#### **Article 23. The Working of the General Assembly**

The General Assembly is presided over by the Archbishop. If the Archbishop is unavoidably absent and has been unable to name his replacement (cf. Article 56), the most senior auxiliary bishop (not retired) presides over the General Assembly

The General Assembly appoints from among its members:

- a) a First Vice-President who must be a priest and be able at the request of the Archbishop to guide the transactions of the General Assembly;
- b) a Second Vice-President who must be a layperson.

The President and the two Vice-Presidents form the Board of the General Assembly

The secretarial work of the General Assembly is carried out by the Secretary of the Administrative Council. The Secretary has the task of minuting the discussions and decisions of the General Assembly

The General Assembly also appoints from among its members four scrutineers (two priests and two laypersons). The scrutineers cannot be selected from among the candidates for a post subject to the vote of the General Assembly nor be directly related to them.

## **Article 24. Minutes**

The discussions and decisions of the General Assembly are recorded in the minutes signed by the members of the Board and the Secretary. To these minutes are attached the report of the votes cast signed by the scrutineers.

## **II. Ordinary General Assembly**

### **Article 25. Frequency**

The Ordinary General Assembly meets every three years.

### **Article 26. Functions**

The following matters are tabled before the Ordinary General Assembly:

- 1) the Archbishop's report on spiritual and pastoral aspects as well as other aspects of the life of the Archdiocese during the preceding interval;
- 2) the reports of special committees and of other officers appointed by the Archbishop;
- 3) the report of the Treasurer about the accounts, the budget and financial business;
- 4) the management report of the Secretary of the Administrative Council;
- 5) the report of the Audit Committee.

The Ordinary General Assembly:

- 6) approves the records of financial management and administration of property as well as the financial statements for the three preceding years, votes on the budget and determines all administrative and financial questions concerning the Archdiocese;
- 7) approves the management report presented by the Secretary of the Administrative Council;
- 8) fixes the rate of parish contributions, collections for the benefit of the Archdiocese and the various different fees;
- 9) proceeds to the election of the members of the Administrative Council and of the Audit Committee;
- 10) examines (without any further appeal being possible) complaints concerning the Archdiocese's institutions which are dependent on the authority of the General Assembly;
- 11) examines the activities of all the bodies belonging to the Archdiocese;

12) examines and discusses the report of the Institute of Orthodox Theology, of training and information centres, and of youth associations connected with the Archdiocese as well as the observations of the Administrative Council on the subject;

13) approves and amends the Internal Regulations proposed by the Administrative Council.

### **Article 27.**

The decisions of the General Assembly are taken, except insofar as concerns the procedures envisaged in Articles 32 and 33, by a simple majority of validly cast votes (spoilt or blank votes are not taken into account) or by a show of hands; however, at the request of 10% of the members present, or when the decision concerns named individuals, a vote by secret ballot must be taken.

### **Article 28. Procedure for regulating disputed cases**

In case of the Archbishop's disagreeing with a decision taken by the Ordinary General Assembly, the matter proceeds to an immediate re-examination. The Assembly is then presided over by the First Vice-President. The Archbishop explains to the Assembly the reasons for his disagreement.

If no consensus emerges, a Extraordinary General Assembly whose agenda concerns the disputed matters is convoked within three months. It submits its decisions to a vote with a 4/5 majority. If such a majority does not emerge, the Archbishop makes the decision after consultation with the Episcopal Committee. If a majority greater than 4/5 of votes is opposed to the Archbishop's opinion, the latter must not maintain his position in the name of the principle of ecclesial conciliarity.

Nevertheless, in extreme cases, where there would be a matter of preserving the Orthodoxy of faith, the Archbishop is free to submit the dispute to the judgment of the Patriarchal Synod.

### **Article 29. Agenda**

The agenda of the Ordinary General Assembly is prepared by the Administrative Council and approved by the Archbishop.

Every member who wishes to see a particular issue placed on the agenda of the Ordinary General Assembly must make a request in writing to the Council, which makes a ruling on the advisability of putting this item on the agenda. The notice for deciding upon such motions is two months before the Ordinary General Assembly. Any motion that arrives outside the required period of notice will be taken into account for the following Ordinary General Assembly.

No matter except those specified on the agenda may be considered. Exceptionally the Archbishop, with the agreement of the other members of the Board of the General Assembly, is entitled to introduce onto the agenda an issue of a pressing nature.

### **Article 30. Candidacies to the Administrative Council**

Candidates to the Administrative Council may only be accepted from among the delegates present at the General Assembly, except for absence for a reason considered valid. They must be over thirty years old and have given proof of their willingness to stand.

The definitive list of candidates is closed three hours before the beginning of voting and communicated to members of the General Assembly

### **Article 31. Voting procedure**

Ballot papers are drawn up by the Administration of the Archdiocese on the basis of the candidates proposed by the Archbishop, the auxiliary Bishops and the Administrative Council, or put forward by the member associations at the time the list of delegates is submitted. Each Association may also present a candidate who is not one of its own members, but that person must of necessity be a member of an Association within the Archdiocese.

### **Article 32. Election of the Administrative Council**

Two polls are organised:

- 1) The first concerns the list prepared in conformity with article 31.  
The six candidates will be declared elected who have received the greatest number of votes in each college (clergy and laity) and have collected a minimum of 40% of votes cast. In case of a tie, the elected members are chosen by drawing lots.
- 2) A second poll elects alternate members of the Council (two priests and two laypersons) from the list of candidates not elected in the preceding poll.

### **Article 33. Election of auxiliary bishops**

- 1) The Ordinary General Assembly appoints, by a formal vote made by secret ballot, candidates to be ordained to serve as auxiliary bishops upon a proposal made by the Archbishop after the latter has taken the advice of the Episcopal Committee and of the Administrative Council, and subject to the approval of the Patriarchate.

A majority of  $\frac{2}{3}$  is necessary for the first round of voting; a simple majority of the votes cast in the General Assembly will suffice in the second round. If this majority is not reached, the candidacy is withdrawn.

If several posts are to be filled at the same time, after the first post has been allocated, the others are subject to a new vote following the same procedure.

- 2) The name (or names) of the candidate(s) returned is (are) then sent by the Archbishop to the Holy Synod of the Patriarchate, which proceeds to the canonical election taking into account the vote of the Ordinary General Assembly.
- 3) The conditions required for candidates to the episcopate are the same as those set out in Article 41.

### **III. Extraordinary General Assembly**

#### **Article 34. Functions**

The Extraordinary General Assembly meets in all those cases provided for by the current Statutes and regulations. More particularly its functions are:

- 1) to elect the Archbishop;
- 2) upon a motion proposed by the Administrative Council, to modify the Statutes;
- 3) to decide the manner in which the property of the Archdiocese is to be held; to decide upon the dissolution of the Archdiocese and, in that case, the transmission of the property of the Archdiocese; and to decide upon its merger with any other Association.

#### **Article 35. Validity of the resolutions**

The Extraordinary General Assembly must be composed of at least half the delegates anticipated by the letters giving notice of the meeting.

Its resolutions must be taken by a 2/3 majority of valid votes cast.

All voting takes place by secret ballot.

In case of dispute between the Extraordinary General Assembly and the Archbishop, the provisions of Article 28 apply.

#### **Article 36. Presidency**

The Extraordinary General Assembly is presided over by the Archbishop, or by his replacement if there is an impediment (Article 51), or by the *locum tenens* appointed according to the conditions specified in Articles 53, 54 and 55, in case of the decease of the Archbishop.

## **Chapter 3.**

### **ADMINISTRATION**

#### **I. The Archbishop**

##### **Article 37. Definition**

The Archbishop is *ex officio* the president of the Archdiocese, which he administers with the assistance of members of the clergy and laity according to the principles of collegiality of Orthodox ecclesiology.

##### **Article 38.**

The Archbishop is lawful president of the General Assembly, of the Episcopal Committee (“the Episcopal Committee”) and of the Administrative Council

##### **Article 39. Powers**

The Archbishop, assisted by the Episcopal Committee and the Administrative Council, has at his disposal full powers in matters of doctrinal and moral teaching, administration and financial management, and liturgical life and pastoral ministry.

##### **Article 40. Length of mandate**

The Archbishop holds office for life. He can, however, retire from the leadership of the Archdiocese after having consulted the Episcopal Committee and the Administrative Council. On the other hand, he can only be retired from office after judgment of a competent higher ecclesiastical court, namely the Holy Synod of the Patriarchate.

##### **Article 41. Conditions of eligibility**

The election of the Archbishop takes place in the following way: the Administrative Council first draws up a list of candidates and publishes it after having submitted it to the Patriarchate for approval.

The required conditions are:

- a) to be at least thirty-five years old;
- b) to meet the canonical and moral criteria of the Orthodox Church;
- c) to have been attached to the Archdiocese for at least five years;
- d) to have higher theological knowledge, normally ratified by a diploma.

#### **Article 42. Presentation of candidacies**

The procedure of presentation of candidates before the Assembly is first defined by the Administrative Council and is communicated to the parishes before the first session of the Assembly.

#### **Article 43. Methods of election**

Voting takes place by secret ballot. To be selected, the candidate must obtain at least 2/3 of the votes of members lawfully present in the Archdiocese's Assembly.

If none of the candidates has obtained the required number of votes in the first round, there takes place a second round of polling in which only those candidates take part who have obtained at least 1/3 of the votes in the first round. In order to be selected, the candidate must obtain a minimum of 2/3 of the validly cast votes.

If a third round of polling is necessary, then a new vote takes place. On this occasion the candidate who obtains a simple majority is returned. If there is a tie, then a drawing of lots takes place.

#### **Article 44. Confirmation by the Holy Synod**

The result of the vote of the Extraordinary General Assembly is certified in writing by the Board of the Extraordinary General Assembly and then sent through the *locum tenens* to the Holy Synod, which proceeds to the canonical election, taking account of the vote of the General Assembly Extraordinary.

#### **Article 45. Duties**

The Archbishop's duties are to teach and keep watch over the Orthodoxy of faith and morals, giving all his attention to the communities entrusted to him, watching over their spiritual welfare and growth, keeping himself acquainted with the good development of their liturgical life and respect for the canons of the Orthodox Church, guiding members of the clergy in their pastoral work. These responsibilities involve in particular:

- 1) carrying out regular pastoral visits to parishes, communities and monasteries dependent upon the Archdiocese, during which he presides at liturgical celebrations, sees to the good order of premises and objects connected with worship, the parish registers and other records, and makes inquiries about the development of parish life;
- 2) organising Pastoral Assemblies at regular intervals, making it possible to enter into deep reflection upon the life of the Archdiocese and its parishes in its theological, liturgical and pastoral aspects, as well as ensuring the in-service training of the clergy;
- 3) representing the Archdiocese at religious and civil official functions, or having himself represented at them by any person of his choosing.

## **Article 46. Functions**

The Archbishop:

- 1) selects, after taking into account the advice of their respective confessors and after having so informed the Administrative Council, candidates for the major orders (priests and deacons) and named members of the clergy (priests, deacons and readers) for their ecclesial offices; he has the prerogative of administering the sacrament of major orders;
- 2) appoints and recalls parish rectors. The appointments or transfers must take place after preliminary consultation with the parties concerned. In case of insurmountable disagreement, the Archbishop submits the issue for the consideration of the Episcopal Committee before making a final decision;
- 3) welcoming to the ranks of the clergy of the Archdiocese clergy coming from other Orthodox dioceses, after having verified their letters of canonical dismissal and listened to the advice of the Episcopal Committee;
- 4) grants to the Archdiocese's clergy who request them letters of canonical dismissal, if no interdict is in place;
- 5) gives the necessary commendatory letters to members of the Archdiocese's clergy who wish to travel for a period of time in territories dependent upon the canonical jurisdiction of other Orthodox bishops; without such a letter of credence, no member of the Archdiocese's clergy is authorised to celebrate outside the limits of the Archdiocese;
- 6) is able to receive any member of the clergy belonging to another diocese and effecting a temporary move who may wish to celebrate in the Archdiocese after having verified at the outset the commendatory letter from his canonical bishop; without the agreement of the Archbishop, no member of clergy from outside the Archdiocese is authorised to celebrate in the Archdiocese's parishes;
- 7) confers ecclesiastical distinctions upon members of the clergy;
- 8) intervenes to find a solution to any conflict between members of the clergy before it be referred to the Disciplinary Committee or any other competent body;
- 9) confirms the parish wardens in their posts;
- 10) confirms the dean of the Orthodox Theological Institute in his post.

## **Article 47. Ratification of decisions**

Any decision of the Archdiocese's institutions (such as the Administrative Council, the Disciplinary Committee, etc.) and of the Theological Institute (Administrative Council and Teachers' Council) which calls into question the perpetuity of the Archdiocese, of its institutions and its [title to] real estate, and the reports of the general assemblies of parish associations, cannot be ratified without having been approved by the Archbishop.



#### **Article 48.**

The duties of the Archbishop are incompatible with the responsibility of rector of another parish, with the exception of that of his cathedral.

#### **Article 49.**

The Archbishop is Rector of the Institute of Orthodox Theology of Paris (St. Sergius' Institute), which is subject to his canonical obedience.

#### **Article 50.**

The Archbishop is jointly, with the Secretary of the Council and the Treasurer of the Archdiocese, the countersignatory legally necessary for any payment involving the Archdiocese.

#### **Article 51. Replacement**

In case of the Archbishop's illness preventing him from carrying out his duties or in case of absence lasting longer than two months, the Archbishop appoints one of his auxiliary bishops to lead the Archdiocese temporarily. The bishop thus appointed acts in concert with the Administrative Council, which he is obliged to convene within a fortnight, and is responsible for all its transactions and decisions to the Archbishop in office. In the event of the Archbishop's death, the appointed temporary replacement hands over his powers to the *locum tenens*.

### **II. The Archbishop's *locum tenens***

#### **Article 52. Nomination**

In case of total incapacity, either temporary or permanent, or in case of the Archbishop's death, until the election and enthronement of his successor, at the request of the Administrative Council, a *locum tenens* is appointed by the Holy Synod of the Patriarchate from among the active auxiliary bishops or another hierarch from the Patriarchate.

#### **Article 53. Functions**

The *locum tenens*, assisted by the Administrative Council, carries on the business in hand. During this period, he can carry out no ordination, nomination, transfer or recall of priests, or of laypersons holding ecclesial or administrative duties within the Archdiocese.

#### **Article 54. Convening the Extraordinary General Assembly**

The *locum tenens* organises, within the most suitable period of time, i.e. a minimum of forty days and a maximum of four months after the Archbishop's death, the Extraordinary General Assembly responsible for appointing the new Archbishop. If the Extraordinary

General Assembly is not called within the required time, the *locum tenens* loses his rights and the Administrative Council requests from the Holy Synod the appointment of a new *locum tenens*, who will act in conformity with the provisions of this article.

#### **Article 55. Case of exceptional impediment**

The convening of the Extraordinary General Assembly responsible for appointing the new Archbishop can only be postponed in exceptional circumstances not dependent upon the will of the *locum tenens*, such as acts of war or other analogous situations. In that case, the *locum tenens* and the Administrative Council continue their duties, but have an obligation to convene the Extraordinary General Assembly at the first opportunity. During this period, the *locum tenens* enjoys all the rights and prerogatives of the diocesan Archbishop. If, by reason of the circumstances described above, it is impossible to enter into communication with the Patriarchate, the most senior of the active auxiliary bishops by ordination takes on *ipso facto* the duties of the *locum tenens*.

### **III. THE EPISCOPAL COMMITTEE**

#### **Article 56. Composition**

The Episcopal Committee is composed of the Archbishop and auxiliary bishops as well as the retired bishops. It is presided over by the Archbishop in office.

#### **Article 57. Convocation and frequency**

The Episcopal Committee meets upon being convened by the Archbishop or the *locum tenens* as need arises (at least twice a year).

#### **Article 58. Functions**

Its task is to assist the Archbishop in particular:

- 1) by supervising the purity of the teaching of the faith;
- 2) by preserving the text of Holy Scripture and liturgical books;
- 3) by scrutinizing, with the help of experts whom it may appoint, respect for good standards in liturgical celebrations, the content of translations of liturgical texts, the theological and liturgical quality of singing and of icons;
- 4) by proposing solutions to the difficulties that bishops may meet with in their ministry and when there exist differences between them;
- 5) by giving advice concerning the Archbishop's resignation or his retirement;
- 6) by giving advice concerning candidacies for the priestly ministry and the reception into the Archdiocese of clergymen from outside the Archdiocese;
- 7) by hearing appeals in matters concerning breaches of ecclesiastical discipline committed by clergymen (after judgment by the Disciplinary Committee).

### **Article 59. Voting**

Decisions requiring a vote are adopted by a simple majority. No member of the Episcopal Committee may abstain during voting. When there is an issue to be examined or voted upon, the bishops are invited to give their opinion one after another according to their seniority in episcopal office, from the youngest to the oldest. In case of a tie, the Archbishop has the casting vote.

### **Article 60. Minutes**

The Secretary of the Administrative Council is present during the decision-making process in a consultative capacity and ensures the keeping of the register of members present and the minutes of the meetings.

## **IV. THE AUXILIARY BISHOPS**

### **Article 61. Election**

The auxiliary bishops are appointed according to the methods described in Article 33.

### **Article 62. Functions**

- a) The auxiliary bishops are responsible for the liturgical, spiritual and pastoral life for the communities or fields of activity that the Archbishop has entrusted to them. They can normally only have the responsibility of rector for a single parish.
- b) The auxiliary bishops, together with the Archbishop, constitute the Episcopal Committee (referred to in these Statutes as “the Episcopal Committee”)

### **Article 63.**

The auxiliary bishops can confer orders (episcopate, priesthood, diaconate, sub-diaconate) with the agreement of the Archbishop or at his request.

### **Article 64.**

Auxiliary bishops may also celebrate in parishes that do not fall within their sphere of duties on invitation of the rector of the parish or by special mandate from the Archbishop, granted or renewed on a case-by-case basis.

### **Article 65.**

Auxiliary bishops are to reside near the community or in the geographical area for which the Archbishop has entrusted them pastoral responsibility.

## **V. THE COUNCIL OF THE ARCHDIOCESE.**

### **Article 66. Definition**

The Administrative Council is the permanent executive body that assists the Archbishop in all aspects of the ecclesial life for which the latter has responsibility.

### **Article 67. Composition**

It is composed of:

- the Archbishop in office, who is its president, and his auxiliary bishops;
- six members of the clergy;
- six laypersons.

The above-mentioned members, with the exception of the Archbishop and the auxiliary bishops, are elected by the Ordinary General Assembly for six years. Their terms of office are renewable for one further term.

Half the membership of each group is renewed every three years. A term of office cannot exceed six consecutive years.

These rules are to be applied in their entirety, taking as the date of commencement the date upon which they were adopted [by the General Assembly].

Every lay member of the Administrative Council who becomes a member of the clergy, and conversely every clerical member – priest or deacon – who leaves the ranks of the clergy of the Archdiocese, is deemed to have retired automatically.

### **Article 68. Alternates**

In case of a seat falling vacant for some reason in the interval between two General Assemblies, the Administrative Council may provisionally provide for the replacement of its holder until the next meeting of the General Assembly.

The replacement is effected by selection from the list of successful candidates' alternates in the order of the number of votes received.

The members thus named to Council can only remain in office during the time that their predecessor had left to run.

A lay member of the Administrative Council who becomes a member of the clergy must offer his resignation to the Administrative Council. The Administrative Council then takes the necessary steps.

### **Article 69. Regular attendance**

A member of the Administrative Council absent from three consecutive meetings, except in case of circumstances beyond his or her control, is deemed to have resigned.

## **Article 70. Operation**

The Administrative Council elects from its own members, upon the proposal of the Archbishop:

- a Vice-President from among the priests, who can preside over meetings of the Council in the Archbishop's absence, in which case the decisions of the Council must then be approved by the Archbishop;
- a Secretary, who can be chosen from among the clergymen or laypersons;
- a Treasurer, chosen from among the laypersons.

No person may hold more than one of these offices.

The Archbishop, Secretary and Treasurer constitute, under the guidance of the Archbishop, the Board (called "Diocesan Administration").

## **Article 71. Functions**

The Administrative Council is invested with the necessary prerogatives to carry out or to authorise any decision or transaction that does not follow directly from the function of the General Assembly. It assists the Archbishop in all areas of ecclesial life.

The Administrative Council has the power to decide on issues of borrowing, purchase or sale of real estate belonging to the Archdiocese up to the limit of 1 000 000 French francs. This sum is updated every nine years by the Ordinary General Assembly. Over and above this sum, only the General Assembly has competence.

## **Article 72. Agenda**

The Secretary of the Administrative Council gathers together three weeks before the Council meeting topics put forward by members of the Council and member associations. The Secretary then presents to the Archbishop an agenda which, after his approval, accompanies the notice addressed to members of the Council at least a fortnight in advance. The consideration of matters raised by at least 1/3 of members of the Administrative Council cannot be refused.

## **Article 73. Meetings and resolutions**

The Administrative Council meets in principle at least 6 times a year and as often as necessary, on the initiative of the Archbishop or at the petition of 1/3 of its members.

The presence of at least half of the members is necessary for the validity of the debates. Decisions are taken on the basis of the majority of those present. In the case of the votes being equally divided, the president of the session has the casting vote.

No one can vote by proxy.

All meetings of the Administrative Council are the subject of a report in the form of minutes signed by the Archbishop and the Secretary. The copies or extracts from the minutes must be signed either by the Archbishop or by the Secretary, or by two members.

#### **Article 74. Disagreements**

In case of disagreement between the Archbishop and the Administrative Council, the subject is presented for further discussion during the next meeting. The Archbishop explains in writing to members of the Administrative Council the reasons for his disagreement. These explanations are attached to the minutes. If the solution is not found, the Archbishop will consult with the Episcopal Committee before taking a final decision.

#### **Article 75. Experts**

The Council can call in experts and authorise them to be present, in a consultative role, during the discussion of a topic concerning which they have been invited, but they are not present during the taking of the final decision or during voting.

#### **Article 76. Specialist committees**

The Council can, according to need, set up specialist committees composed of external members.

When a member of the Council is part of such a committee, he is its chairman.

The chairman co-ordinates and animates the work of the committee. He makes its report to the Administrative Council and to the General Assembly. The committee's conclusions are produced in a written report. Each chairman has to submit to the Administrative Council a written report at least twice a year.

#### **Article 77. The Secretary of the Administrative Council**

The Secretary of the Administrative Council:

- 1) assists the Archbishop in the administration of the Archdiocese and directs, according to the Archbishop's guide-lines, the Archdiocese's Chancellery, which assures the smooth running of records, archiving and delivery of official documents and certificates;
- 2) ensures the maintenance of the Secretary's office and the management of the personnel of the diocesan Administration;
- 3) represents, by proxy from the Archbishop, the Archdiocese in transactions of involving the civil or judicial authorities.

#### **Article 78. The Treasurer**

The Treasurer:

- 1) assists the Archbishop in the economic, financial and real estate management of the Archdiocese;
- 2) draws up a plan to assist the parishes in their financial management;

- 3) prepares the budget, ensures it is carried into effect, and is responsible for the good maintenance of the accounts;
- 4) assists or represents the Archbishop, whenever necessary, during inspections of the management systems of the parishes;
- 5) manages the assets of the Archdiocese, following the instructions of the Archbishop and the Administrative Council;
- 6) submits a report of his or her work for the approval of the Ordinary General Assembly.

#### **Article 79. Publication of decisions**

Important decisions concerning the organisation and life of the Archdiocese are published in the *Messenger diocésain (Diocesan Messenger)*, which constitutes the official information medium of the Archdiocese.

## **Chapter 4.**

### **SUPERVISORY AGENCIES**

#### **I. THE AUDIT COMMITTEE**

##### **Article 80. Composition**

The Ordinary General Assembly elects from among its members an Audit Committee composed of four members (two priests and two laypersons) appointed for three years following the same procedure as for the members of the Administrative Council. Plurality of offices is not permitted.

##### **Article 81. Functions**

This Committee has responsibility:

- 1) for carrying out each year an audit of the procedures and accounting documents of the Archdiocese, where necessary assisted by a professional accountant;
- 2) for carrying out an examination as to the application of the audit plan to the budgets of the parishes, for rendering an account of it to the Administrative Council, and for drawing up a report of its activities that it presents to the Ordinary General Assembly;
- 3) for proposing changes, should the occasion arise, to the way financial matters are managed.

#### **II. THE DISCIPLINARY COMMITTEE**

##### **Article 82. Composition**

The Disciplinary Committee (Ecclesiastical Court) is composed of four members chosen by the Archbishop from among the priests, two of whom at least must have a degree [*licence*] in Orthodox theology.

##### **Article 83. President**

The President of the Disciplinary Committee is appointed by the Archbishop from among the members of the Committee. He may not combine his responsibilities with the Vice-Presidency of the Administrative Council or the office of Secretary of the Administrative Council



#### **Article 84. Responsibilities of the president**

The president of the Disciplinary Committee:

- 1) fixes the dates of meetings;
- 2) takes responsibility for co-ordinating their work;
- 3) records the different views expressed during the debate;
- 4) presents the conclusions to the Archbishop.

#### **Article 85.**

The Secretary of the Administrative Council can be present at the meetings of the Disciplinary Committee in a consultative but not decision-making role, in order to present documents and give necessary explanations.

#### **Article 86. Frequency and convocation**

The Disciplinary Committee meets at least once a year, or more often according to need, upon a summons signed by the President and distributed by the diocesan Administration.

#### **Article 87. Quorum.**

A quorum of three members, of whom one is the President, is necessary for each Committee meeting.

#### **Article 88. Functions.**

The Disciplinary Committee's tasks are:

- 1) to investigate the validity of religious marriages;
- 2) to recognize the dissolution of religious marriage in marriages between spouses of Orthodox religion as well as in marriages between an Orthodox and a spouse of another Christian confession;
- 3) to investigate requests for adoptions to be recognised by the Church;
- 4) to proceed with corrections to parish registers (in case of an error disclosed in these registers);
- 5) to investigate as a court of first instance, at the request of the Archbishop or of the Council of the Archdiocese, matters concerning breaches of rules and Church discipline which, in conformity with the regulations of the Orthodox Church, are required to be submitted to the judgment of ecclesiastical authority, whether they involve clergy or laypersons;
- 6) to investigate, at the request of the Archbishop or upon the advice of the Audit Committee, any breaches of the ecclesiastical rules concerning donations, legacies and wills.

**Article 89. Confidentiality of deliberations**

By the nature of their office, members of the Disciplinary Committee are bound by the same rule of confidentiality as for the Sacrament of Repentance (Confession).

**Article 90. Participation of experts**

The President of the Committee may invite experts, specialists in canon law or jurists, to provide clarifications on the papers. These experts, who must first be sworn to secrecy, have only a consultative role. They are not present when decisions are made.

**Article 91. Application of the rulings**

The rulings of the Disciplinary Committee come into effect after their confirmation by the Archbishop. They are communicated to the interested parties by the Diocesan Administration.

**Article 92. Appeal procedure**

Rulings of the Disciplinary Committee confirmed by the Archbishop are final, except in the cases envisaged by Article 88, §5 and §6, where clergy may appeal to the higher competent authority, namely the Episcopal Committee.

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