

AMENDMENT 2007

SCHEDULE A

AMENDMENTS TO THE STATUTES (REVISED 2005) OF THE EPARCHY OF STS PETER AND PAUL OF MELBOURNE FOR THE UKRAINIAN CATHOLICS OF AUSTRALIA, NEW ZEALAND AND OCEANIA

Preamble

The Statutes (Revised 2005) of the Eparchy of Ss Peter and Paul of Melbourne for the Ukrainian Catholics of Australia, New Zealand and Oceania, promulgated by the Most Reverend Peter Stasiuk, CSsR, on 2 February 2002 and amended on 5 October 2005 (hereinafter ‘the Eparchial Statutes (Revised 2005)’) are amended as set out in this Schedule.

1. Section One

1.1 Section One is amended as follows

1.1.1 After Section 1.4, the following is inserted

1.5 Ukrainian Catholic Women’s League of Australia

1.5.1 An Eparchial women’s organisation, known as the ‘Ukrainian Catholic Women’s League of Australia’ is established in order to provide for the female faithful of the Eparchy, their commitment to the mission of the Church, their faith and, their desire to nurture Ukrainian Catholic culture within the Eparchy, and is dedicated to providing resources that help its members to realise their own true Christian vocation and live an authentic Christian life as contributing members to the Church and society through works of social development and charitable activities.

1.5.2 The Ukrainian Catholic Women’s League of Australia will be constituted by and operate pursuant to the terms of its own Statutes, promulgated pursuant to Sections 5.7 and 5.8 of these Statutes.

1.5.3 In all matters whatsoever, the Ukrainian Catholic Women’s League of Australia is governed by the terms of the CCEO, the Particular Law of the Ukrainian Greek-Catholic Church, and these Statutes.

1.5.4 In the event of any conflict whatsoever between the Statutes of the Ukrainian Catholic Women’s League of Australia promulgated pursuant to 1.5.2 and the CCEO, the Particular Law of the Ukrainian Greek-Catholic Church, or these Statutes, the CCEO, the Particular Law of the Ukrainian Greek-Catholic Church and these Statutes prevail.

2. Section Three

2.1 Section Three is amended as follows

2.1.1 In Section 3.2 the following amendments are made

2.1.1.1 The Title of Section 3.2 is repealed and replaced by the following, in bold type

Appointment of Parish Priests/Administrators and Assistant Parish Priests/Administrators

2.1.1.2 Immediately after Section 3.2.4, the following is inserted

3.2.5 The Eparch may, in his absolute discretion, appoint an Assistant Parish Priest/Administrator or Assistant Parish Priests/Administrators pursuant to and whose duties shall be governed by the CCEO, can 302.1, and the Particular Law of the Ukrainian Greek-Catholic Church, can 44.

2.1.2 In Section 3.3 the following amendments are made

2.1.2.1 The Title of Section 3.3 is repealed and replaced by the following, in bold type

Duties of Parish Priests/Administrators and Assistant Parish Priests/Administrators

2.1.2.2 Immediately following Section 3.3.9, the following is inserted

3.3.10 The duties, powers and rights of an Assistant Parish Priest/Administrator are governed by the CCEO, can 302.1, and the Particular Law of the Ukrainian Greek-Catholic Church, can 44.

3.3.11 In the event that that Parish Priest/Administrator of a Parish or Mission is absent from the Parish or Mission for a reason approved by the Eparch, or for any reason is unable to perform the duties established by this Section, the Assistant Parish Priest/Administrator, or, if there be more than one, the one who ranks first in seniority according to date of appointment by the Eparch, shall possess the rights and powers and assume the duties and obligations of the Parish Priest/Administrator as established by the CCEO, can 302.1, and the Particular Law of the Ukrainian Greek-Catholic Church, can 44, and this Section.

2.1.3 Immediately after Section 3.7.1, the following is inserted

3.7.2 Gifts of money made to priests, including but not limited to, those made at Easter and Christmas, are the personal property of the priest to whom they are made.

3. Section Six

3.1 Section Six is amended as follows

3.1.1 In Section 6.3.1, the following amendments are made

3.1.1.1 Immediately after the words ‘living Christian community’ and before the full stop, the following is inserted

serving the Trinitarian God, Father, Son and Holy Spirit, One God in Three Divine Persons

3.1.1.2 Immediately after the full stop, the following is added

The Parish Council, while it must operate in accordance with the domestic civil law of Australia, is not a civil or secular organisation.

3.1.2 In Section 6.5, immediately after Section 6.5.2 and before Section 6.5.3, the following is inserted

6.5.2A Because the Divine Liturgy constitutes the heart of the Church’s life and witness, it is imperative that members of the Parish or Mission Council set an example for the faithful of the Parish by regular attendance, as required of all members of the parish by Section 6.2.2.

3.1.3 After Section 6.7.9, the following is inserted

6.7.10 In extraordinary circumstances, the Eparch may, in his absolute discretion, and following consultation with the Parish Priest, remove any elected member of a Parish or Mission Council at any time.

6.7.11 In extraordinary circumstances, the Parish Priest may, following consultation with and having received written approval from the Eparch, remove any elected member of a Parish or Mission Council at any time or alter the signatories for any parish bank accounts of any type whatsoever.

6.7.12 For the purposes of 6.7.10 and 6.7.11, but without limiting the generality thereof, ‘extraordinary circumstances’ may include embarrassment or other harm to the Eparchy or a Parish or Mission, potential civil or criminal legal liability to the Eparchy or a Parish or Mission, or any other cause as determined by the Eparch in his sole discretion.

6.7.13 In the event that an elected member of a Parish or Mission Council is removed pursuant to Sections 6.7.10 or 6.7.11, the following process must be followed:

A notice of termination must be sent to the member in question by the Eparch or the Parish Priest, as the case may be, by registered letter.

An ensuing vacancy on the Parish or Mission Council may be filled according to the procedure established in 6.7.9.

3.1.4 In Section 6.8 the following amendments are made

3.1.4.1 In Section 6.8.1, immediately after the words 'In all juridical affairs the Parish Priest represents the person of the parish (CCEO Can. 290).' and before Section 6.8.2, the following sentence is added

Pursuant to Statute 6.4, as regards the work of the Parish Council, the Parish Priest has sole ultimate authority in relation to all matters relating to the business of the Parish or Mission whatsoever.

3.1.4.2 Immediately after Section 6.8.4 and before Section 6.8.5, the following is inserted

6.8.4A In all Parish financial matters whatsoever, the Parish Priest/Administrator and the Parish Treasurer shall, to the extent possible and reasonable and in accordance with the CCEO, the Particular Law of the Ukrainian Greek-Catholic Church, and these Statutes, act together.

3.1.4.3 Immediately after Section 6.8.9, the following is inserted

6.8.10 In the event that the Parish Priest/Administrator of a Parish or Mission is absent from the Parish or Mission for a reason approved by the Eparch, or for any reason is unable to perform the duties established by this Section, the Assistant Parish Priest/Administrator, or, if there be more than one, the one who ranks first in seniority based upon date of appointment by the Eparch, shall possess the rights and powers and assume the duties and obligations of the Parish Priest or Administrator as established by the CCEO, the Particular Law of the Ukrainian Greek-Catholic Church, and this Section.

6.8.11 No Parish or Mission Council may conduct any business whatsoever in the absence of the Parish Priest/Administrator or Assistant Parish Priest/Administrator according to Section 3.8 of these Statutes.

3.1.5 In Section 6.9, immediately after Section 6.9.1 and before Section 6.9.2, the following is inserted

6.9.1.1 Unless there exist exceptional circumstances, the Chairperson of the Parish Council may serve no longer than six (6) consecutive years.

6.9.1.2 A member of the Parish who has served as Chairperson of the Parish Council for six (6) consecutive years pursuant to Section 6.9.1.1 and following provided that no less than three years have elapsed from the date on which that member's previous service as Chairperson ended, that member may stand for election to the Office of Chairperson again

3.1.6 Section 6.12.6 is repealed and replaced by the following

6.12.6 The Treasurer is an ex-officio member of the Parish Finance Committee (See Appendix D, 1).

3.1.7 In Section 6.25, immediately after Section 6.25.3 · Prepare and submit a report at the Annual Parish Meeting, the following is added

Should there be sufficient members desiring it, and pursuant to and in accordance with Sections 1.5 and 5.8 and Appendix B, 4, of these Statutes and the Constitution of the Ukrainian Catholic Women's League of Australia, assist the parish priest with the establishment, oversight and responsibility for a Parish or Mission branch of the Ukrainian Catholic Women's League of Australia.

6.25.4 Should a Parish or Mission branch of the Ukrainian Catholic Women's League of Australia be established pursuant to 6.25.3, it shall operate within and form a part of the Social Justice and Peace Committee of that Parish or Mission.

3.1.8 In Section 6.27, the following amendments are made

3.1.8.1 Section 6.27.2 is repealed and replaced by the following

6.27.2 Members of the Auditing Committee shall

- (i) share power co-equally without the office of Chairperson,
- (ii) be elected once a year at the Regular Parish Council Meeting falling one month prior to the Annual Meeting of the Parish which they will audit, or the Regular Parish Council Meeting falling closest thereto,
- (iii) serve solely in relation to the Annual Meeting of the Parish for which they were elected, and
- (iv) be functus officio and have no powers or duties whatsoever prior to their election or following the conclusion of the AGM for which they were elected.

3.1.8.2 Section 6.27.3 is repealed and replaced by the following

6.27.3 The role of the Auditing Committee is strictly limited to reviewing the Accountant's Report and Parish books for the fiscal year and to confirm that the transactions were made according to the determination at Parish and/or Parish or Mission Council Meetings and present an Auditor's Report limited to these matters at the Annual Meeting of the Parish.

6.27.4 The Auditing Committee may seek only that information specified in 6.27.3 and only those documents related thereto, may obtain such information or documents only

from the Parish Priest and the Parish Council Chairperson, and must inform both the Parish Priest and the Parish Council Chairperson that it is seeking such information or documents.

3.1.9 In Section 6.30, immediately after Section 6.30.5 and before Section 6.30.6, the following is inserted

6.30.5A Where possible, and without limiting the process established by Sections 6.30.4 and 6.30.5, the Parish or Mission Council Chairperson shall, where possible and practicable, gather all nominations for the Parish Council, its executive, committees, and sub-committees prior to the relevant Annual Meeting of the Parish, which nominations shall be approved by the Parish Priest prior to the Annual Meeting of the Parish at which those members so nominated shall stand for election.

3.1.10 In Section 6.34, immediately after Section 6.34.3, the following is inserted

6.34.4 Address for Accounts and Financial Matters

6.34.4.1 The address for all correspondence relating to all bank accounts and all financial matters whatsoever shall be the official address of the Parish or Mission Office as recorded in the Eparchial Chancery.

4. Appendix B

4.1 Appendix B is amended as follows

4.1.1 In Section 4.1, immediately after the final sentence, the following sentence is added: 'It also includes the role of the Parish or Mission branch of the Ukrainian Catholic Women's League of Australia, should one be established pursuant to Statute 6.25.3.'

5. Appendix D

5.1 Appendix D is amended as follows

5.1.1 In Section 1, the words 'Parish Council' in the second sentence are repealed and replaced with the words 'Finance Council'.

6. Appendix I

6.1 Appendix I is amended as follows

6.1.1 In Section 9.1, immediately after the words 'in the Eparchy' and immediately before 'and members', the following words are inserted: 'the current President of the Ukrainian Catholic Women's League of Australia,'.

6.1.2 In Section 10.1, immediately after (xix), the following words are inserted: ‘the current President of the Ukrainian Catholic Women’s League of Australia,’.

Explanatory Memorandum

This explanatory memorandum does not form a part of this Schedule nor may it be used in the interpretation thereof.

Section 1 of this Schedule amends Section One of the Statutes (Revised 2005) by establishing a Ukrainian Catholic Women’s League of Australia.

Section 2 of this Schedule amends Section Three of the Statutes (Revised 2005) in relation to the duties, powers and rights of Assistant Parish Priests/Administrators and gifts of money made to priests.

Section 3 of this Schedule amends Section Six of the Statutes (Revised 2005) in relation to membership and work of the Parish Council, the removal of elected members of the Parish or Mission Council, the authority of the Parish Priests/Administrators and Assistant Parish Priests/Administrators and their relationship to the Parish or Mission Council, a term limit for the Chairperson of the Parish or Mission Council, the relationship of the Treasurer to the Finance Committee, the establishment of Parish or Mission branches of the Ukrainian Catholic Women’s League of Australia, the duties and powers of the Auditing Committee, the work of the Nominating Committee, and the Parish or Mission address for bank accounts and financial matters.

Section 4 of this Schedule provides for a consequential amendment to Schedule B in relation to the establishment of the Ukrainian Catholic Women’s League of Australia.

Section 5 of this Schedule provides for a consequential amendment to Schedule D in relation to the relationship between the Treasurer and the Finance Committee.

Section 6 of this Schedule provides for a consequential amendment to Schedule I in relation to the establishment of the Ukrainian Catholic Women’s League of Australia.