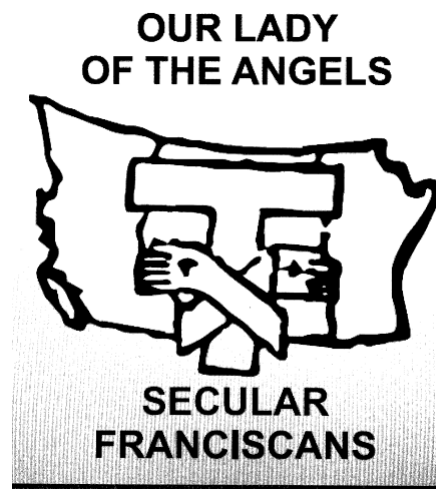


REGIONAL STATUTES
For
OUR LADY OF THE ANGELS
REGIONAL FRATERNITY OF CANADA



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FOREWORD

In drafting the Statutes of Our Lady of the Angels Regional Fraternity of Western Canada, due care has been taken to ensure that the provisions of these statutes reflect those of the National Statutes.

The Regional Statutes should be understood and interpreted in their rightful context and by making reference to the OFS Rule, the Ritual, the General Constitutions, Statutes of the National Fraternity, and the Statutes for the Spiritual and Pastoral Assistance to the Secular Franciscan Order and the Code of Canon Law.

1. ABROGATION

GC6. By the present act, the previous Statutes and regulations of OUR LADY OF THE ANGELS REGIONAL FRATERNITY OF CANADA, are abrogated.

CCL 304

2. REGIONAL FRATERNITY DEFINITIONS

- GC 29.1 a) Our Lady of the Angels Regional Fraternity, herein after referred to as “The Region”, is the organic union of all the local fraternities of the Secular Franciscan Order existing in the civic provinces of British Columbia, Alberta, Saskatchewan, Manitoba and the Territories.
- GC 61.1 b) While respecting the unity of the Secular Franciscan Order, it assures the link between the local fraternities and the National Fraternity.
- GC 61.3 c) “The Region” is guided and animated by a Minister and a Council duly elected by the Chapter of Elections.

3. REGIONAL COUNCIL

3.1 MEMBERSHIP

3.1.1 Membership of the Regional Council

- Regional Minister
- Vice-Minister each civil province (refer to 3.3.3 g)
- Secretary
- Treasurer
- Director of Formation
- Director of Franciscan Youth
- Director for Justice and Peace and the Integrity of Creation (JPIC)
- Spiritual Assistant

3.1.2 Active Member

- A professed secular Franciscan or a candidate.
- One who regularly attends the meetings or a member who attends at least one meeting during the past year.
- One who contributes to the financial needs of the fraternity according to his or her means, or has made a financial contribution during the past year.
- A member who is excused for valid reasons of health, family, work or distance.
- In all cases, each legitimate absence mentioned above, each valid excuse shall be approved by the Fraternity Council.

3.2 DUTIES OF THE REGIONAL COUNCIL

- GC 81.2
- a) To implement the decisions of the Regional Chapter of Elections, the National Chapter and the National Council.
 - b) To meet at least twice a year, giving each Councillor two months notice in advance with date, location and request for items for the agenda.
 - c) To deliberate on matters concerning the financial conduct and the economic affairs of “the Region”.
 - d) To make decisions concerning the Fraternal and Pastoral Visitations to fraternities even when not requested.
 - e) To provide for the formation of those responsible for animation.
 - f) To promote, animate and co-ordinate the life and activities of the Secular Franciscan Order in the local Church within “the Region”.
 - g) To promote, prepare and convoke the Regional Chapter of Elections.
 - h) To perform such other duties as are indicated by the General Constitutions and the National Statutes

3.2.1 VACANCY OF OFFICE

- GC 81.2
- a) When the office of Minister becomes vacant, the Regional Council, at its next meeting, shall proceed to elect, from among the Vice Ministers by secret ballot, a new Minister for the remainder of the term.
 - b) If the office of vice-minister becomes vacant, one of the councillors is elected to the office of vice-minister by the council of the fraternity, to serve until the next elective chapter.
 - c) When any office of Council becomes vacant, the Regional Council, at the next meeting, shall elect by secret ballot, a new councillor for the remainder of the term.

3.3. DUTIES OF REGIONAL COUNCIL OFFICERS

3.3.1 Duties of Regional Council

GC 62.2 The Regional Council's duties shall be:

- CCL 312
- a) To provide for the spiritual life of Secular Franciscans,
 - b) To foster spiritual unity among the local fraternities,
 - c) To implement the decisions of the Regional Chapter, the National Chapter and of the National Council
 - d) To visit local fraternities, and to collaborate with the competent religious Major Superior in establishing new fraternities at the request of the concerned brothers and sisters.
 - e) Hold at least one meeting with the local fraternity Ministers during their mandate.
 - f) In addition to their Chapter every 3 years hold one Spiritual Conference within their mandate and hold Regional Formation Workshops when required.
 - g) Meeting with local fraternity Ministers can take place at Conferences, chapters, local area meetings.
 - h) In conducting its affairs, the Regional Council may appoint, when deemed necessary, Resource Persons to the Regional Council. Resource Persons shall not have voting privileges and shall not be counted for quorum purposes.

3.3.2 THE REGIONAL MINISTER SHALL:

- GC 63.2
- a) Convoke and preside at the meetings of the Regional Council.
 - b) Convoke the Regional Chapter of Elections every three years.
 - c) Preside at and confirm the elections of the local fraternities.
 - d) Participate in the meetings of the National Council.
 - e) In consultation with the Regional Council, request the Pastoral and Fraternal visit from the National Council at least once every three (3) years.
- GC 67.2c
- f) Prepare an annual report for the National Council, and the Regional Councillors.
 - g) Represent "the Region" in the civil order whenever necessary.
 - h) In the event that the Minister cannot fulfill any of the above duties, he/she may delegate these responsibilities to another member of Regional Council.

3.3.3 THE REGIONAL VICE-MINISTER SHALL:

- CCL 312
- a) Attend all Regional Council meetings, and be familiar with the General Constitutions, National Statutes, Regional Statutes, Formation Programs, procedures and rituals.
 - b) Preside at the local Fraternity elections and make Fraternal visits when delegated to do so.
 - c) Be a liaison between the Regional Council and the local fraternities.
 - d) Obtain annual reports from the fraternities.

- e) Provide a progress report on developments in their province and the activities of their fraternities at each Regional Council meeting and at the Chapter.
- f) Assist in the formation of new fraternities and ensure their development towards canonical establishments.
- g) There may be one vice-minister from each civil province or, where the number of fraternities do not require it, a vice-minister may represent more than one civil province or, where the number of fraternities warrant it, more than one vice-minister may be elected for a civil province.

3.3.4 THE REGIONAL TREASURER SHALL:

- GC 52.4
- a) Be responsible for maintaining the financial affairs of “the Region”, so that interim statements of financial position can be provided when called for.
 - b) Produce a statement for each regional meeting and prepare a full report and budget for the Regional Chapter.
 - c) Ensure that all expenses are paid by cheque carrying two signatures and that each cheque is identified with a corresponding explanatory voucher.
 - d) Ensure that upon termination of office, all monies and all properties of “the Region” shall be transferred to the successor.

3.3.5 THE REGIONAL SECRETARY SHALL:

- GC 52.2
- a) Record the minutes of every Regional Council meeting and ensure that each councillor receives a copy within sixty days of the meeting.
 - b) Perform other secretarial duties as required by the Regional Council.
 - c) Maintain and update the database of fraternities
 - c.1) maintains and updates information on local fraternity council members
 - c.2) maintains and updates records of deceased members of each fraternity.
 - c.3) maintains and update fraternity members’ date of profession and place professed.
 - c.4) pass on all information and electronic reports to the incoming secretary when the term is completed.
 - d) Perform duties pertaining to the elective chapter.

3.3.6 THE REGIONAL DIRECTOR OF FORMATION SHALL:

- GC 37.4
GC 52.3
- Collaborate with the Regional Spiritual Assistant, the National Director of Formation and the Regional Council, to make known and promote Franciscan spirituality and programs of formation throughout “the Region” and to adhere to the job description outlined for DIRECTOR OF FORMATION.

3.3.7 THE REGIONAL DIRECTOR OF YOUTH SHALL:

- GC 96.1-6
- a) Encourage fraternities to be proactive in sharing Franciscan life and Franciscan spirituality with youth.
 - b) Share throughout “the Region” the results of youth related projects and programs being done by local fraternities.

- c) Encourage youth participation within the Secular Franciscan Order as is outlined in the General Constitutions of the OFS.

3.3.8 THE REGIONAL DIRECTOR FOR JUSTICE, PEACE AND INTEGRITY OF CREATION (JPIC)

- a) Animate and promote formation and action in the field of JPIC in light of the OFS Rule especially no. 15 (justice), no. 18 (creation/ environment) and no. 19 (peace) in the OLOTA Council and local fraternities.
- b) Adhere to the job description outlined for JPIC provided by the Regional Council.

3.4 QUORUM

60 Percent of the members of Regional Council are needed for a quorum.

4. REGIONAL CHAPTER OF ELECTIONS

4.1 CONVOCAATION

- GC63.2a a) After consultation with the Regional Council, the Minister shall convoke the Chapter of Elections at least once every three (3) years. The Minister, in consultation with the Council, may also convoke intermediate Chapters (spiritual and orientation) as required.
- N.S 4.6 b) Written notice shall be forwarded to the local Ministers, at least six (6) months before the Chapter.

4.2 MEMBERSHIP IN THE CHAPTER OF ELECTIONS

The Chapter shall comprise of:

- The members of the Regional Council
- The local Fraternity Ministers
- Local Spiritual Assistants
- The voting delegates of the local fraternities
- All other Secular Franciscans present at the Chapter may participate fully in the deliberations, at the discretion of the chair.

4.3 DUTIES OF THE CHAPTER OF ELECTIONS

- GC 62 The Chapter shall be governed by the General Constitutions, the Ritual and the Regional Statutes.
- a) Hold the elections of the Regional Minister and the Regional Council.
- b) Approve the Regional Statutes and any subsequent amendments, which are then sent to the National Council for approval.
- c) Accept the reports from the Regional Spiritual Assistant, the Regional Minister and other members of the council.

- Regional Minister
- Vice-Minister from each of the civil province (refer to 3.3.3 g)
- Secretary
- Treasurer
- Director of Formation
- Director of Franciscan Youth
- Director for Justice and Peace and the Integrity of Creation (JPIC)

- b) Nomination records shall include the following information:
- the name and signature of the nominator
 - the name and signature of the seconder
 - the written consent of the nominee.
- c) Nominations from the floor shall be accepted provided all the above-mentioned records are submitted.
- d) The Nominating Committee shall be dissolved on completion of the elections.
- e) The Vice-Ministers shall be nominated by professed members of the same civil province. Nominees must be residents of the said province.
- f) Elections shall be held in accordance of the National Statutes.
At the end of their term, the out-going members of the Regional Council shall hand over all records to the newly elected officers within thirty (30) days or at such time as is mutually agreed upon by both parties.
- g) Only the permanently professed members of the Secular Franciscan Order may be delegates to the National Chapter. Two delegates are elected (at the Regional Chapter of Elections) or (at a Regional Extraordinary Chapter) in addition to the Regional Minister and Regional Spiritual Assistant who are ex officio members of the National Chapter by virtue of their office.
(The regional fraternity decides how election of delegates takes place.)

CCL 173
GC 76

4.8 CHAPTER RESOLUTIONS

4.8.1 CONTENTS/TERMS

Resolutions may be presented during the Chapter to provide guidance and direction in the life of the Secular Franciscan Order in the Region. Resolutions can be changes or amendments to existing Regional Statutes, policies and procedures or proposals which would lead to some concrete, positive action that can be assumed as part of the Regional Council's mandate.

The resolutions shall be in conformity with the legislation of the Secular Franciscan Order: The Rule, the Ritual, the General Constitutions, the National Statutes and the Statutes for the Spiritual and Pastoral Assistance to the OFS.

4.8.2 PRESENTATION

The resolutions shall always be presented in written form. The resolutions may be presented to the Chapter by individuals, fraternities or groups (committee, spiritual assistants, etc.).

The following information shall be included: the name and signature of the proposer, the name and signature of the seconder, if such is the case, the name of the Fraternity or group presenting the resolution, the date on which the resolution was submitted, and the name and telephone number of the person to contact for the resolution.

4.8.3 RESOLUTIONS COMMITTEE

NS 4.8.3 A Resolutions Committee shall be appointed by the Regional Council one year prior to the Regional Chapter.

The Resolutions Committee's mandate shall be the following:

- a) to receive the proposed resolutions;
- b) to analyze any proposed resolution submitted in order to determine whether it is in conformity with Articles 4.8.1 and 4.8.2;
- c) to prepare proposed resolutions judged to be acceptable for presentation to the delegates (put them into concise and clear language and translate them);
- d) with authorization from the proposers, gather into one, similar resolutions or resolutions on the same topic;
- e) to attempt to complete a proposed resolution judged to be in conformity with article 4.8.1 but that does not contain all the required information in article 4.8.2. To this end, a member of the committee may act as proposer or seconder of such a proposed resolution;
- f) forward the proposed resolutions to the delegates for consultation with their fraternities.

4.8.4 SUBMISSION

Any proposed resolution submitted 60 calendar days or more prior to the Chapter and judged acceptable by the Resolutions Committee shall be presented to the Chapter.

Resolutions may also be submitted to the Resolutions Committee less than 60 days before the chapter as well as during the Chapter. However, the committee is not necessarily obliged to submit the resolutions to the assembly.

5. FINANCIAL MATTERS

- GC 30.3
- a) The fiscal year shall extend from January 1 through December 31.
 - b) All cheques and money orders payable to "the Region" are to be payable to "Our Lady of the Angels Regional Fraternity".

- c) All monies received by “the Region” shall be deposited in the name of “Our Lady of the Angels Regional Fraternity”.
- d) “The Region” is supported by each local Fraternity remitting a proportional contribution for each professed member and candidate according to Article 25 of The Rule. This is to be included with the filing of the census forms by January 31 each year. The Regional Council will recommend an appropriate contribution to cover the expenses for the coming year.
- e) Visitation expenses for the Spiritual Assistant, Regional Minister and Vice-Ministers will be paid from the Regional Fraternity Common Fund.
- f) An annual review of the financial records shall be conducted by a person appointed by the Regional Council.

6. INCOMPATIBLE OFFICES

GC82 The following are incompatible:

- a) The office of Minister at two different levels.
- b) The offices of Minister, Vice-Minister, Secretary, Treasurer and Director of Formation at the same time.

7. INTERPRETATION OUTSIDE THE REGIONAL CHAPTER

The interpretation of these statutes shall be the responsibility of the Regional Council. Such interpretation made outside the Chapter shall remain binding until the next Chapter.

8. INACTIVE FRATERNITIES

The process for dealing with fraternities that have become inactive in supporting the life of their members follows the Guidelines established by the National Fraternity (attached to these Regional Statutes as an Addendum).

9. AMENDMENTS

- a) All amendments to these Statutes must be submitted to the Resolutions Committee and meet the timelines specified in 4.8.4.
- b) These Regional Statutes may be amended by an absolute majority vote of the delegates present at the Regional Chapter. Once approved by the Regional Chapter, amendments are forwarded to the National Council for approval.
- c) The Regional Council has the authority to make provisional amendments to these Statutes. The amendments are subject to the approval of the next Regional Chapter.

ADDENDUM

GUIDELINES FOR INACTIVE FRATERNITIES

(Approved for use on May 2018 by National Elective Chapter)

When a Major Superior of the First Order or Third Order Regular canonically establishes a local fraternity, the local fraternity becomes a “juridical person” in the eyes of the Church. According to Canon Law 120.1, this juridical person is perpetual by its nature; however, it can be extinguished if it is legitimately suppressed by the competent authority or has ceased to act for a hundred years.

Although perpetual in nature, the life of a canonically established local fraternity can sometimes diminish to the point where it no longer able to sustain its life as a Secular Franciscan fraternity and becomes inactive.

The following criteria may be used to assess if a fraternity has become inactive in supporting the life of its Franciscan members. The fraternity...

- a) No longer have at least four active permanently professed members, a requirement that would allow for the composition of an elected council. (OFS Rule 21 & 22, OFS General Constitution Art. 46.2 & 82);
- b) Does not have any candidates in formation and has not had a new professed for at least three years. (OFS Rule 23, OFS Ritual p.24);
- c) No longer has regular fraternity meetings and has not had any over a period of least three years. (OFS Rule 24, OFS General Constitution Art. 53);
- d) No longer participates in the life and activities of the Regional Fraternity (OFS Rule 24, OFS General Constitution Art. 30.2 & 93.2.);
- e) No longer contributes to the common fund or provides financial support to the higher-level fraternities. (OFS Rule 25, OFS General Constitution Art. 30.3.);
- f) Has not sought a pastoral or fraternal visitation for at least six years. (OFS Rule 26, OFS General Constitution Art.92.2);

Together, all these criteria are used to develop a comprehensive assessment of the fraternity’s state of activity.

It is important to note that terms like “deactivating”, “de-commissioning”, “recess”, “closure” or any other similar terms are not valid terms to describe what happens when a fraternity is no longer active, both with respect to Canon Law or OFS legislation.

When a canonically established fraternity is no longer able to be active in sustaining its Secular Franciscan Life, two options are possible (refer to Canon Law 120.1)

Option 1, the Regional Council, responsible for animating and guiding the fraternities in its territory, may “declare” the fraternity to be “inactive”.

Option 2, The Major Superior (Provincial Minister) who has canonically established the local fraternity and who is considered to be the competent authority may “suppress” the fraternity.

When a fraternity finds itself in this situation of inactivity, the following should be taken:

1. The Regional Council takes the initiative to conduct a fraternal and pastoral visit to the local fraternity concerned. Normally, this visit would be conducted by the Regional Minister and the Regional Spiritual Assistant. Through the Regional Spiritual Assistant, the provincial Minister is informed that this visit is being conducted.
2. The report of the visitors is presented to the Regional Council. A copy of the report is forwarded to the Provincial Minister of the friar province to which the local fraternity is canonically bonded.
3. In dialogue with the remaining members of the local fraternity, the Regional Council discerns whether the local fraternity is to be declared “inactive” or if a request should be forwarded to the appropriate Provincial Minister to have the fraternity “suppressed”.
4. If the Regional Council decides to declare the fraternity “inactive”, a declaration is drafted to this effect. A copy of this declaration is forwarded to the remaining members of the local fraternity and a copy is forwarded to the Provincial Minister concerned. By declaring the fraternity “inactive” the possibility of the local fraternity becoming “active” at a future point remains. On the other hand, if it remains inactive (has ceased to act) for more than one hundred (100) years after the last member of the fraternity has died, its juridical nature would be considered extinguished. According to Canon Law 120.1.
5. If a fraternity is declared to be “inactive”, its remaining members must be accommodated. Although a fraternity, as a fraternity may be inactive, some of the remaining members may still wish to remain “active”. In this case, members of the fraternity may be transferred to a nearby “active” fraternity where they can participate in fraternity life to the extent that they are able, given their personal health conditions, mobility and distance to nearest fraternity, etc. (OFS General Constitution Art. 55). If the members do not wish to remain active, they must withdraw, either temporarily or permanently, from the life of the fraternity (OFS General Constitution Art. 56-58).
6. When a fraternity is declared to be “inactive”, the care of the fraternity’s assets, its library and its records are assumed by the Regional Council. These assets, however, continue to belong to the local fraternity until its last member has died, given this “member has the exercise of all the rights of the aggregate”, according to Canon Law 120.2 the fraternity’s register is updated with the status of the remaining members (transferred or withdrawn).

7. If the Regional Council determines that the fraternity should be “suppressed”, the Regional Minister communicates with the Major Superior to which the fraternity is canonically bonded. A dialogue between the Regional Council, the remaining members of the local fraternity and the Major Superior takes place to confirm the decision to suppress the local fraternity. The act of suppression can only be executed by the Major Superior and cannot be delegated to a Spiritual Assistant at any level; only the competent authority who has established the fraternity can also suppress it. A declaration is drafted to this effect. A copy is forwarded to the remaining members of the local fraternity; a copy to the Regional Council and a copy is maintained in the archives of the Provincial Minister. The suppression of a fraternity is an action that is final in nature. If individuals in the area re-group at a later time and wish to start again, a new fraternity would have to be established by the Major Superior.
8. When a fraternity is “suppressed” the assets of the fraternity, its library and its records are acquired by the Regional Council and kept in the regional fraternity’s archives (OFS General Constitution Art. 48.1) the local fraternity’s register is updated with the status of the remaining members (transferred or withdrawn). The common fund and other assets of the fraternity are either disposed according to the decision of the remaining members or are put in an interest-bearing account escrow account managed by the Regional Council (Canon Law 122-123).