

CONSTITUTIONAL CHARTER
AND
CODE

OF THE SOVEREIGN MILITARY
HOSPITALLER ORDER
OF ST. JOHN OF JERUSALEM
OF RHODES AND OF MALTA

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This free translation is not be intended as a modification of the Italian text approved by the Extraordinary Chapter General 28-30 April 1997 and published in the Bollettino Ufficiale, 12 January 1998.

In cases of different interpretations, the official Italian text prevails (Art. 36, par. 3 Constitutional Charter).

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CONSTITUTIONAL CHARTER

OF THE SOVEREIGN MILITARY
HOSPITALLER ORDER
OF ST. JOHN OF JERUSALEM
OF RHODES AND OF MALTA

TITLE I

THE ORDER AND ITS NATURE

ARTICLE 1

Origin and Nature of the Order

- Par. 1 — The Sovereign Military and Hospitaller Order of Saint John of Jerusalem, of Rhodes, and of Malta, arose from a group of hospitallers of the Hospice of Saint John of Jerusalem who had been called upon by circumstances to augment their original charitable enterprise with military service for the defence of pilgrims to the Holy Land and of Christian civilization in the East. It is a lay religious Order, by tradition military, chivalrous and nobiliary, which in time became sovereign on the islands of Rhodes and later of Malta.
- Par. 2 — In nations where it exercises its activity in virtue of its rights or of international conventions, the Order's structure comprises: Grand Priories, Priories, Sub-priories and National Associations.
- Par. 3 — In this Constitution and in the Code the Sovereign Military Order of Malta is also referred to as "the Order of Malta" or simply as "the Order".
- Par. 4 — In the rules which follow, the Grand Priories and the National Associations are also referred to as Priories and Associations. The term Code refers to the Code of the Order.

ARTICLE 2

Purpose

- Par. 1 — The purpose of the Order is the promotion of the glory of God through the sanctification of its members, service to the faith and to the Holy Father, and assistance to one's neighbour, in accordance with its ancient traditions.
- Par. 2 — True to the divine precepts and to the admonitions of our Lord Jesus Christ, guided by the teachings of the Church, the Order affirms and propagates the Christian virtues of charity and brotherhood. The Order carries out its charitable works for the sick, the needy and refugees without distinction of religion, race, origin and age.

The Order fulfils its institutional tasks especially by carrying out hospitaller works, including social and health assistance, as well as aiding victims of exceptional disasters and of war, attending also to their spiritual well-being and the strengthening of their faith in God.

- Par. 3 — In order to be able to perform their institutional tasks, the Priories and Associations may, according to the regulations of the Code, establish dependent organizations in accordance with national laws and international conventions and agreements made with States.

ARTICLE 3
Sovereignty

- Par. 1 — The Order is a subject of international law and exercises sovereign functions.
- Par. 2 — Legislative, executive and judicial functions are reserved to the competent bodies of the Order according to the provisions of the Constitution and Code.

ARTICLE 4
Relations with the Apostolic See

- Par. 1 — The Order is a legal entity recognized by the Holy See.
- Par. 2 — Religious members through their vows, as well as members of the Second Class through the Promise of Obedience, are only subject to their appropriate Superiors in the Order.
- In accordance with the Code of Canon Law, the churches and conventual institutions of the Order are exempt from the jurisdiction of the dioceses and are directly subject to the Holy See.
- Par. 3 — In the conduct of relations with the Apostolic See, the acquired rights, customs and privileges granted to the Order by the Supreme Pontiffs are in force unless expressly abrogated.
- Par. 4 — The Supreme Pontiff appoints as his representative to the Order a Cardinal of the Holy Roman Church on whom are conferred the title of *Cardinalis Patronus* and special faculties. The *Cardinalis Patronus* has the task of promoting the spiritual interests of the Order and its members and relations between the Holy See and the Order.
- Par. 5 — The Order has diplomatic representation to the Holy See, according to the norms of international law.
- Par. 6 — The religious nature of the Order does not prejudice the exercise of sovereign prerogatives pertaining to the Order in so far as it is recognized by States as a subject of international law.

ARTICLE 5
Sources of the Order's Law

The sources of the Order's law are:

- 1 – the Constitution, the Code of the Order and, as an adjunct, canonical legislation;
- 2 – the legislative provisions according to Art. 15, par. 2, a) of the Constitution;
- 3 – international agreements ratified according to Art. 15, par. 2, h) of the Constitution;

- 4 – its customs and privileges;
- 5 – the Code Rohan where not in contradiction to current norms.

ARTICLE 6

*Flags, Insignia and Armorial Bearings
of the Order*

- Par. 1 — The flag of the Order bears either the white latin cross on a red field or the white eight - pointed cross (cross of Malta) on a red field.
- Par. 2 — The armorial bearings of the Order display a white latin cross on a red oval field, surrounded by a rosary, all superimposed on a white eight - pointed cross and displayed under a princely mantle surmounted by a crown.
- Par. 3 — A special regulation, approved by the Grand Master with the deliberative vote of the Sovereign Council, defines the characteristics and the use of the flags, the insignia and the armorial bearings of the Order.

ARTICLE 7

Language

The official language of the Order is Italian.

TITLE II

THE MEMBERS OF THE ORDER

ARTICLE 8

The Classes

Par. 1 — The members of the Order are divided into three Classes:

- A) the First Class consists of Knights of Justice, also called Professed, and of Professed Conventual Chaplains who have made religious vows;
- B) the Second Class consists of members in Obedience, who make the Promise according to Art. 9, par. 2, and who are subdivided into three categories:
 - a) Knights and Dames of Honour and Devotion in Obedience
 - b) Knights and Dames of Grace and Devotion in Obedience
 - c) Magistral Knights and Dames in Obedience;
- C) the Third Class consists of those members who do not make religious vows or the Promise but who live according to the norms of the Church and are prepared to commit themselves to the Order and the Church. They are divided into six categories:
 - a) Knights and Dames of Honour and Devotion
 - b) Conventual Chaplains *ad honorem*
 - c) Knights and Dames of Grace and Devotion
 - d) Magistral Chaplains
 - e) Knights and Dames of Magistral Grace
 - f) Donats (male and female) of Devotion.

Par. 2 — The requisites for admission to the various classes and categories of membership are determined by the Code.

ARTICLE 9

Obligations of the Members

- Par. 1 — The Knights and Chaplains belonging to the First Class profess the vows of poverty, chastity and obedience in accordance with the Code, thus aspiring to perfection according to the Gospel. They are religious for all purposes of Canon Law and are governed by the particular rules which concern them. They are not obliged to live in community.
- Par. 2 — By virtue of the Promise, members of the Second Class oblige themselves to strive for the perfection of Christian life in conformity with the obligation of their state, in the spirit of the Order.
- Par. 3 — The members of the Order are to conduct their lives in an exemplary manner in conformity with the teachings and precepts of the Church and to devote themselves to the charitable activities of the Order, according to the provisions of the Code.
- Par. 4 — Members of the Second and of the Third Class, with the exception of priests, make a financial contribution through their national organizations to the Grand Magistracy, fixed by the Chapter General.

ARTICLE 10

Assignment of Members

- Par. 1 — Where only a Priory already exists, all members of the three Classes automatically belong to it.
- Par. 2 — Where a Subpriory is established, only the members of the First and Second Class belong to it.
- Par. 3 — Where an Association is established, the members of the three Classes belong to it.
- Par. 4 — Where a Priory or Subpriory is established in the territory where an Association already exists, all the members of the First and Second Class are also members of the Priory or Subpriory.
- Par. 5 — Where neither a Priory nor a Subpriory exists in the territory, the members of the First and Second Class are also aggregated *in gremio religionis* (dependant directly on the Grand Commander).
- Par. 6 — Where neither a Priory nor an Association exists in the territory, the members of the Third Class are assigned to an institution of the Order as the Grand Master decides.
- Par. 7 — The Grand Master with the deliberative vote of the Sovereign Council, having heard the Priors, Regents or Presidents concerned, may transfer a member of the Order, with his consent, to a Priory, Subpriory or Association, according to the above norms.

ARTICLE 11
Duties and Offices

- Par. 1 — The duties and offices of Grand Master and of Grand Commander are conferred upon Professed Knights in Perpetual Vows.
- Par. 2 — The office of Prior is entrusted to Professed Knights in Perpetual or Temporary vows.
- Par. 3 — The High Offices and the offices of the Sovereign Council, in keeping with Art. 20, par. 4, and the offices of Chancellor, Receiver and Hospitaller of the Priories and Subpriories as well as those of Regent, Lieutenant, Vicar and Procurator, are held preferably by Professed Knights.
- If Knights in Obedience are elected for their specific qualifications, their election must be confirmed by the Grand Master.
- Par. 4 — The positions of High Officers, Priors, Vicars, Lieutenants, Procurators, Regents, Chancellors of Priories, and of at least four of the six Councillors of the Sovereign Council, are reserved to Knights having the requisites for Honour and Devotion or Grace and Devotion.

TITLE III
GOVERNMENT OF THE ORDER

ARTICLE 12
The Grand Master

Sovereign prerogatives and honours and the title “Most Eminent Highness” are reserved to the Grand Master, Head of the Order.

ARTICLE 13
Requisites for Election of Grand Master

- Par. 1 — The Grand Master is elected for life by the Council Complete of State from among the Professed Knights with at least ten years in perpetual vows if they are younger than fifty years of age; in the case of Professed Knights who are older, but who have been members of the Order for at least ten years, three years in perpetual vows are sufficient.
- Par. 2 — The Grand Master and the Lieutenant of the Grand Master must have the nobiliary requisites prescribed for the category of Knights of Honour and Devotion.
- Par. 3 — Before the assumption of the office, the election of the Grand Master is to be communicated by letter to the Holy Father by the person elected.

ARTICLE 14
The Grand Master's Oath

The person elected to the dignity of Grand Master, having informed the Holy Father of the election, takes the following oath in the presence of the Cardinalis Patronus in solemn session of the Council Complete of State:

“By this most Holy Wood of the Cross and by God’s Holy Gospels, I, N.N., do solemnly promise and swear to observe the Constitution, the Code, the Rule and the laudable customs of our Order and to administer the affairs of the Order conscientiously. So help me God, and if I do otherwise, may it be to the risk of my soul.”

ARTICLE 15
Powers of the Grand Master

- Par. 1 — The Grand Master, assisted by the Sovereign Council, sees to the exercise of his supreme authority, to the conferral of duties and offices, and to the general government of the Order.

Par. 2 — It pertains to the Grand Master:

- a) to issue legislative measures, with the deliberative vote of the Sovereign Council, concerning matters regulated neither by the Constitution nor by the Code;
- b) to promulgate by decree the acts of government;
- c) to admit, with the deliberative vote of the Sovereign Council given in secret, members to the Novitiate and to Temporary and Perpetual Vows of the First Class as well as to the year of probation and to the Promise of the Second Class;
- d) to admit, with the deliberative vote of the Sovereign Council, members of the First Class to Aspirancy;
- e) to receive members into the Third Class of the Order, with the deliberative vote of the Sovereign Council or with a provision given on his authority alone (*motu proprio*);
- f) to administer, with the assistance of the Sovereign Council, the assets of the Common Treasure and to supervise the properties;
- g) to execute the acts of the Holy See, insofar as these relate to the Order, and to inform the Holy See of the state and the needs of the Order;
- h) to ratify international agreements, with the deliberative vote of the Sovereign Council;
- i) to convene an Extraordinary Chapter General which will have the faculty to dissolve the Sovereign Council and elect a new one, in accordance with the norms of the Constitution and Code.

Par. 3 — The decrees of par. 2 b) are designated magistral or conciliar depending on whether the act of government has been issued directly by the Grand Master or whether there has been prior consideration or prior deliberation by the Sovereign Council. When a deliberative vote is required, the Grand Master cannot issue a decree at variance with that vote, but he is not obliged to issue a decree in conformity with it.

ARTICLE 16

Resignation from Office by the Grand Master

The resignation from office by the Grand Master must be accepted by the Sovereign Council and, to be effective, communicated to the Holy Father.

ARTICLE 17

Extraordinary Government

Par. 1 — In the case of the permanent incapacity, resignation or death of the Grand Master, the Order is governed by a Lieutenant *ad interim* in the person of the Grand Commander who can carry out acts of ordinary administration until the Office ceases to be vacant.

Par. 2 — The permanent incapacity of the Grand Master is declared by the Magistral Court of first instance in closed session on a petition by a two thirds majority of the members of the Sovereign Council, which has been convened and chaired by the Grand Commander or the Grand Chancellor, or has convened itself by an absolute majority.

The petition is presented by the Grand Chancellor, or by a member of the Sovereign Council delegated for this purpose. If the petition is affirmed, the Grand Commander assumes the office of Lieutenant *ad interim*.

Par. 3 — In the case of the incapacity of the Grand Master for a period of more than one month, the Grand Commander assumes the ordinary administration of the Order and immediately convenes the Sovereign Council for confirmation.

Par. 4 — In the event of the incapacity of the Grand Commander, the Sovereign Council elects from among its members a Professed Knight in Perpetual Vows as Lieutenant *ad interim*.

Par. 5 — The Lieutenant of the Grand Master is elected in accordance with Art. 23, par. 5, from among the Knights possessing the requisites required for election to Grand Master.

Before taking up his office, the Lieutenant of the Grand Master takes the oath in accordance with Art. 14.

The resignation of the Lieutenant of the Grand Master must be accepted by the Sovereign Council and with a resolution which must be communicated to the Holy Father in order to be effective.

ARTICLE 18

The High Offices

Par. 1 — The High Offices are:

the Grand Commander

the Grand Chancellor

the Grand Hospitaller

the Receiver of the Common Treasure.

Par. 2 — The replacement of persons holding High Offices is regulated by the Code.

ARTICLE 19

The Prelate

Par. 1 — The Prelate is appointed by the Supreme Pontiff, who chooses from among three candidates presented by the Grand Master with the deliberative vote of the Sovereign Council. In the event that none of the three candidates presented meets with the approval of the Holy Father, other candidates will be presented.

The Prelate assists the *Cardinalis Patronus* in carrying out his mission to the Order.

- Par. 2 — The Prelate is the ecclesiastical superior of the clergy of the Order in sacerdotal functions. He ensures that the religious and priestly life of the Chaplains and their apostolate are conducted according to the discipline and the spirit of the Order.
- Par. 3 — The Prelate assists the Grand Master and the Grand Commander in their responsibility for both the spiritual life and religious observances of the members of the Order and in all matters concerning the spiritual nature of the works of the Order.
- Par. 4 — At each session of the Ordinary Chapter General the Prelate presents a report on the spiritual state of the Order.

ARTICLE 20

The Sovereign Council

- Par. 1 — The Sovereign Council assists the Grand Master in the Government of the Order.
- Par. 2 — The following are members of Sovereign Council:
- a) the Grand Master or the Lieutenant, who presides;
 - b) the holders of the four High Offices and six Councillors.
- Par. 3 — The members of the Sovereign Council, excluding the Grand Master and the Lieutenant, are elected by the Chapter General by a majority of those present.
- Par. 4 — The Grand Commander and at least four other members of the Sovereign Council must be Professed Knights in Perpetual or Temporary Vows.
- Par. 5 — For the admission of members to the First Class only the members of the Sovereign Council who are Professed Knights in Perpetual or Temporary Vows are entitled to vote.
- Par. 6 — The members of the Sovereign Council remain in office until the next Chapter General and may be re-elected. For a third or further consecutive re-election to the same position a two-thirds majority of votes of those present is required.
- Par. 7 — The Grand Master does not vote on matters for which the Sovereign Council has a deliberative vote or must give its advice, notwithstanding Art. 15, par. 3.

In the case of a tie vote among the Councillors, including the High Officers, the decision of the Grand Master prevails. If the Grand Master does not express an opinion, the matter is suspended.

ARTICLE 21

The Government Council

- Par. 1 — The Government Council is a consultative body for dealing with the political, religious, hospitaller and international policies of the Order or other general aspects of the life of the Order. It may issue recommendations to the holders of the four High Offices and to the Board of Auditors. It meets at least twice each year.
- Par. 2 — The Government Council consists of six Councillors from different geographic areas elected by the Chapter General from members of any of the three Classes of the Order.
- Par. 3 — At meetings of the Government Council are present:
- a) the Grand Master or the Lieutenant, who convenes it and presides;
 - b) the members of the Sovereign Council;
 - c) the Prelate of the Order, when there might be questions within his competence.
- Par. 4 — The six Councillors remain in office until the next Chapter General and may be re-elected once.

ARTICLE 22

The Chapter General

- Par. 1 — The Chapter General is the supreme assembly of the Order and is composed of representatives of the different classes. It is convened once every five years or whenever the Grand Master, having heard the Sovereign Council, may think fit, or on application to the Grand Master by the majority of the Priories, Subpriories and Associations.
- Par. 2 — The following are members of the Chapter General:
- a) the Grand Master or the Lieutenant, who presides;
 - b) the members of the Sovereign Council;
 - c) the Prelate;
 - d) the Priors, or in the event of vacancy, their permanent substitutes (Procurators, Vicars, Lieutenants);
 - e) the Professed Bailiffs;
 - f) two Professed Knights delegated by each Priory or, in the absence of one of these, a Knight in Obedience;
 - g) a Professed Knight and a Knight in Obedience delegated by the Knights in *gremio religionis*;
 - h) five Regents of the Subpriories in accordance with the Code;

i) fifteen representatives of the Associations, in accordance with the Code;

l) the six members of the Government Council of the Order.

Par. 3 — The Chapter General is convened to elect the members of the Sovereign Council, the members of the Government Council, the members of the Board of Auditors; to deal with modifications to the Constitution and the Code; to take cognizance of and deal with the most important problems pertaining to the Order, such as its spiritual and temporal state, the programme of its activities and its international relations.

Par. 4 — For the approval of modifications to the Constitution, a majority of two-thirds is required. For the approval of modifications to the Code, an absolute majority is required, with the exception of Arts. 6–93, which refer exclusively to the First Class, for which it is required that in the absolute majority vote there is also the majority of the Professed Knights having the right to vote.

ARTICLE 23

The Council Complete of State

Par. 1 — The Council Complete of State elects the Grand Master or the Lieutenant of the Grand Master.

Par. 2 — The following are entitled to vote:

a) the Lieutenant of the Grand Master or the Lieutenant *ad interim*;

b) the members of the Sovereign Council;

c) the Prelate;

d) the Priors or, in the event of vacancy, their permanent substitutes (Procurators, Vicars, Lieutenants);

e) the Professed Bailiffs;

f) two Professed Knights delegated by each Priory;

g) a Professed Knight and a Knight in Obedience delegated by the Knights in *gremio religionis*;

h) five Regents of the Subpriories, in accordance with the Code;

i) fifteen representatives of the Associations, in accordance with the Code.

Par. 3 — The Grand Master's election requires a majority plus one of those present entitled to vote.

- Par. 4 — The members of the First Class taking part in the Council Complete of State have the right to propose three candidates. In the event that such a list is not presented within the first day of the meetings of the Council Complete of State or if a candidate is not elected from among the proposed list within the first three ballots, the members of the Council Complete of State have freedom of choice in successive ballots.
- Par. 5 — After the fifth undecided ballot, the Council Complete of State decides, with the same majority, whether to proceed to the election of a Lieutenant of the Grand Master for a maximum period of one year. In the event of a negative result the balloting to elect the Grand Master resumes. In the event of a positive result the Lieutenant of the Grand Master is elected by means of a runoff ballot between the two candidates who received the largest number of votes in the fifth ballot. The candidate in the runoff ballot who receives the larger number of votes prevails. Should there be only one candidate, a majority vote of those present is required.
- Par. 6 — If elected, the Lieutenant of the Grand Master must reconvene the Council Complete of State before the end of his mandate.

ARTICLE 24

General Norms for Elections

- Par. 1 — The members of the Chapter General, of the Council Complete of State, and those entitled to vote in the election of a Prior, Regent or President of an Association, must act personally and may not appoint any representatives, or delegates or proxies or vote by letter, except as provided in Art. 196 of the Code.
- Par. 2 — Without prejudice to any other provision, the basis of any vote is calculated on those with a right to vote who are present and vote. Where applicable, a two-thirds majority applies only for the first three ballots. For successive ballots a majority of those present having the right to vote is sufficient, without prejudice to any other provision.

ARTICLE 25

The Juridical Council

- Par. 1 — The Juridical Council is an expert advisory collegial body, which can be consulted about juridical questions and problems of special importance.
- Par. 2 — It is composed of: a President, a Vice-President, a Secretary General and four members.
- Par. 3 — The members are appointed by the Grand Master with the advice of the Sovereign Council. They are selected from among those who are experts in the juridical sciences, preferably members of the Order particularly versed in the law of the Order, in public and international law and in Canon Law. They remain in office for three years and may be re-appointed.

ARTICLE 26
Judicial Regulations

- Par. 1 — Cases falling within the jurisdiction of the ecclesiastical forum are submitted to the ordinary ecclesiastical Tribunals, in accordance with Canon Law.
- Par. 2 — For cases falling within the competence of the lay forum between physical and juridical persons of the Order and against third parties, the juridical function is exercised by the Magistral Courts, in accordance with the Code.
- Par. 3 — The Grand Master, with the deliberative vote of the Sovereign Council, appoints the Presidents, the judges, and the clerk of the Magistral Courts.
- Par. 4 — The judges of the Magistral Courts are chosen from among members of the Order who are specially versed in law. They hold office for three years and may be re-appointed.
- Par. 5 — The judicial regulations and the procedure to be observed by the Magistral Courts are regulated by the Code.

ARTICLE 27
The Board of Auditors

- Par. 1 — The Board of Auditors oversees and controls the income, the expenditures and all the assets of the Order. It is also the consultative body of the Receiver of the Common Treasure.
- Par. 2 — It consists of a President, four ordinary Councillors, and two alternates.
- Par. 3 — The members of the Board of Auditors are elected by the Chapter General in the first balloting, with a majority of those having the right to vote and with the majority of those present in successive ballots. They are chosen from among the Knights versed in the juridical, economic and financial disciplines. They hold office until the following Chapter General, and may be re-elected for one consecutive term and, with a two-thirds majority, for a third term.

TITLE IV
THE ORGANIZATION OF THE ORDER

ARTICLE 28
Establishment of Organizations

- Par. 1 — The establishment of a Grand Priory, Priory, Subpriory or Association, and the approval of their statutes, belong to the Grand Master with the deliberative vote of the Sovereign Council.
- Par. 2 — The title of Grand Priory belongs to some Priors by custom or by virtue of a resolution of the Chapter General.
- Par. 3 — The Grand Master, with the advice of the competent Priors, Subpriors or Associations and the deliberative vote of the Sovereign Council, establishes new organizations and approves their statutes. The establishment of Priors and Subpriors is to be communicated by the Grand Master to the Holy Father.
- Par. 4 — The same procedure must be followed for the amalgamation, division or dissolution of Priors, Subpriors or Associations.
- Par. 5 — Within each territory, only a Priory or a Subpriory can be established.
Relations between a Priory and an Association existing in the same territory are regulated by the Code.

ARTICLE 29
Government of Priors

- Par. 1 — At least five Professed Knights are necessary for the establishment of a Priory.
- Par. 2 — The members of the three Classes belong to the Assembly.
- Par. 3 — The Prior is assisted by a limited Council which is elected by the Chapter according to the statutes of the Priory.
- Par. 4 — The following are members of the Chapter:
- a) the Prior;
 - b) the Professed Knights and Chaplains of the Priory;
 - c) the Chancellor, the Receiver and, where no Association exists in the same territory, the Hospitaller;
 - d) two representatives of the Second Class;
 - e) two representatives of the Third Class, where no Association exists.

Par. 5 — The Chancellor and the Receiver are appointed by the Prior from among the Knights of the First and Second Class, having consulted the members of the First Class.

The Hospitaller and the representatives of the Second and Third Class are elected by the Assembly.

Par. 6 — The Professed members propose by a majority vote a list of three candidates from which the members of the Priory Chapter elect the Prior.

Par. 7 — The Prior elect may not take up office until he has received the approval of the Grand Master, with the deliberative vote of the Sovereign Council, and taken the oath.

Par. 8 — The statutes of the Priory establish the other competencies of the Chapter and of the Assembly.

ARTICLE 30

Term of Office of Priors

The Prior and the members of the limited Council remain in office for six years and may be re-elected. Re-election to a third or further six-year term requires a two-thirds majority.

ARTICLE 31

Lieutenant of the Prior

Par. 1 — Whenever expediency and need require, the Prior, after hearing the Chapter, may appoint a Lieutenant to substitute for him for one year, in all or in part, in the exercise of his duties. The appointment is to be approved by the Grand Master, with the advice of the Sovereign Council.

Par. 2 — In case of necessity, the appointment of the Lieutenant devolves on the Grand Master with the advice of the Sovereign Council, if the Prior has not made provision in accordance with par. 1.

Par. 3 — The Prior, after hearing the limited Council, can appoint a Lieutenant to substitute for him for a maximum period of three months.

Par. 4 — The Lieutenant must be a Professed Knight or a Knight in Obedience, in accordance with Art. 11, par. 3.

ARTICLE 32

Vicar and Procurator of a Priory

Par. 1 — For just and grave cause the Grand Master may, with the deliberative vote of the Sovereign Council, remove a Prior and appoint a Vicar.

Par. 2 — Should it not be possible to proceed with the election of a Prior in accordance with Canon Law, the Vicar remains in office until the end of the next Chapter General.

- Par. 3 — Should it prove impossible for a Priory to function, or for other just and grave reasons, the Grand Master, with the deliberative vote of the Sovereign Council, appoints a Procurator who shall remain in office until the end of the next Chapter General.
- Par. 4 — The Vicar and the Procurator must be Professed Knights or Knights in Obedience in accordance with Art. 11, par. 3.

ARTICLE 33

Subpriories and the Appointment of Regents

- Par. 1 — For the establishment of a Subpriory there must be at least nine Knights in Obedience.
- Par. 2 — The Subpriory is governed by a Professed Knight or a Knight in Obedience, with the title of Regent, assisted by a Council and the Chapter, in accordance with its own Statutes and the Code.
- Par. 3 — The Regent and the Councillors are elected by the Chapter. The Regent takes office after having received the approval of the Grand Master, with the deliberative vote of the Sovereign Council, and having taken the oath.
- Par. 4 — The Regent and the Councillors hold office for six years and may be re-elected. For a third and successive re-election a two-thirds majority is required.

ARTICLE 34

Associations

- Par. 1 — Associations are established by decree of the Grand Master, with the deliberative vote of the Sovereign Council. Their statutes are drafted in accordance with the legislation of the countries in which they are established and are approved by the Grand Master, with the deliberative vote of the Sovereign Council.
- Par. 2 — The Grand Master, with the advice of the Sovereign Council, confirms the appointment of the President and the members of the Board of Directors. The term of office is determined by the statutes and lasts from a minimum of three to a maximum of six years. If provided in the statutes, re-election is possible.

ARTICLE 35

Delegations

- Par. 1 — The Priors, the Subpriories and the Associations may form regional Delegations in accordance with the Code.
- Par. 2 — The Delegations are composed of all members of the Priors, Subpriories and Associations who reside in the territory. Their rules are established in conformity with the statutes of the respective Priors, Subpriories and Associations and a regulation approved by the Grand Master, with the deliberative vote of the Sovereign Council.

- Par. 3 — The Delegation is directed by a member of the Order who has the title of Delegate and who is appointed in the first instance by his own Superior with the advice of the respective Council, and subsequently elected by the members of the Delegation and confirmed by the Superior. The Delegation of a Priory or Sub-priory, where possible, should be entrusted to a Professed Knight or a Knight in Obedience.
- Par. 4 — The Delegate is assisted by a Council consisting of not more than five members and a Chaplain, who has under his care the spiritual life of the members of the Delegation.

ARTICLE 36

*Text and Official Translations
of the Constitution*

- Par. 1 — The text of the Constitution is written in the Italian language. The Grand Master with the advice of the Sovereign Council shall provide for an official translation in English, French, German and Spanish.
- Par. 2 — The text in Italian, bearing the signature of the Head of the Order and the Seal of State, is kept in the Archives of the Grand Magistry.
- Par. 3 — In cases of different interpretations, the official Italian text prevails.

ARTICLE 37

Transitional Regulations

The Grand Master, with the deliberative vote of the Sovereign Council, issues transitional norms to regulate matters pending when the Constitution and Code come into effect.

signed:
Carlo Marullo di Condojanni
Grand Chancellor

signed:
Fra' Andrew Bertie

CODE
OF THE SOVEREIGN MILITARY
HOSPITALLER ORDER
OF ST. JOHN OF JERUSALEM
OF RHODES AND OF MALTA

TITLE I
GENERAL REGULATIONS

Article 1
Nature of the Code of the Order of Malta

This Code regulates the life, the organization and the activity of the Order.

Article 2
Interpretation of Laws

Par. 1 — Authentic interpretation belongs to those who issue the laws.

Par. 2 — The interpretation of the laws is the exclusive competency of the Magistral Courts and, in a non-binding way, of the Juridical Council.

Article 3
Publication and Promulgation of Laws

The laws and official decrees are published in the *Bollettino Ufficiale* and, unless otherwise determined, they become effective thirty days after date of publication.

Article 4
Dispensation from Laws

The Grand Master, within the limits of the Constitution, may dispense in individual cases from the observance of the provisions of this Code, except in matters of vows, the prescriptions of ecclesiastical law and the structure of the Government.

Article 5
The Name of the Order

The name of the Order, according to Art. 1, par. 3 of the Constitution, may be abbreviated to SMOM or another designation, according to the respective language. Other designations will have to be approved by the Sovereign Council.

TITLE II
THE MEMBERS OF THE ORDER

CHAPTER I

MEMBERS OF THE FIRST CLASS

First Section
ADMISSION

Article 6

Requirements for Admission to the First Class

Any Catholic may be admitted to the First Class of the Order who:

- a) is not subject to any impediment established by the Constitution, the Code or Canon Law;
- b) is moved by right intention;
- c) is suited to serve the sick and the poor of Jesus Christ and to dedicate himself to the service of the Church and of the Holy See according to the spirit of the Order;
- d) meets other requirements prescribed by the Priors or Subpriors.

Article 7

Request for Admission

- Par. 1 — A candidate for Professed Knight must address his request for admission to the competent territorial Priory or Subpriory.
- Par. 2 — If a Priory or Subpriory does not exist in the region where the candidate resides, the request for admission is to be presented directly to the Grand Magistracy of the Order.

Article 8

Verification of Requirements for Admission

- Par. 1 — The Prior or the Regent or the Grand Magistracy is to request advice concerning the application of the candidate from the President of his Association, where one exists.

Par. 2 — Before seeking the advice mentioned above, and being assured that the necessary requirements have been fulfilled, the Prior or Regent, with the deliberative vote of his Chapter, is to ask the Grand Master for the *nihil obstat* for admission to Aspirancy, which is granted by the Grand Master, with the deliberative vote of the Sovereign Council.

Article 9

Requirements for the Admissibility of the Request

Par. 1 — No one may be validly admitted to the Novitiate who:

- a) is not a member of the Order for at least one year;
- b) has not completed 22 years of age;
- c) is under investigation by the courts.

Par. 2 — In addition, the norms of can. 643 §1 nn. 2–5 of the Code of Canon Law also apply.

Article 10

Requirements for Licit Admission to the Novitiate

For admission to the Novitiate it is required that the Aspirant:

- a) shall not have presented his request under force, grave fear or fraud;
- b) shall not be encumbered by debts which he is unable to meet;
- c) is not involved in matters which could involve the Order in any type of controversy;
- d) shall, at the time of his admission, be exempt from legal or moral obligations towards ancestors or descendants;
- e) has not abandoned the Catholic Church or adhered to another religion;
- f) has not been suspended from the practice of his profession;
- g) has not been convicted of a crime either civil or ecclesiastical, or is not subject to civil or ecclesiastical proceedings;
- h) does not belong to an organization with an objective contrary to the spirit and norms of the Catholic Church.

Article 11

Dispensation from Impediments for the Admission to the Novitiate

Par. 1 — Dispensation from impediments imposed by Canon Law is reserved to the Holy See.

Par. 2 — Dispensation from other impediments is granted by the Grand Master, with the deliberative vote of the Sovereign Council.

Article 12

Documents Required for Admission

For admission to the Novitiate the following are required:

- a) certificates of baptism and confirmation;
- b) certificate confirming unmarried or free status;
- c) testimonial letters from the respective Ordinaries of the places where the Aspirants have resided for more than five years after completing eighteen years of age;
- d) testimonial letters from the respective Superiors for those Aspirants who have belonged to a seminary, college or novitiate of another institute of consecrated life or society of apostolic life;
- e) favourable testimonial letters from the Superior of the organization within the territory in which the Aspirant resides or, in its absence, from the Superior of the Priory or Subpriory to which the Aspirant is to be aggregated;
- f) such other testimonials as the competent Superiors may consider useful.

Article 13

Testimonial Letters

Those from whom the testimonial letters referred to in Art. 12 are requested, must send them to the competent Superior within three months of the request. They should be sealed and, except for Bishops, given under oath. Anyone who for serious reasons considers that he cannot reply, should report on the matter to the Grand Master within the prescribed period of three months.

Article 14

Supplementary Information

If the person from whom information is sought does not know the Aspirant sufficiently well, the Superiors of the Order should obtain additional accurate and reliable information. If the information is not sufficiently complete, the matter must be referred to the Grand Master.

Article 15

Purpose of Testimonial Letters

Testimonial letters should contain information, after diligent and conscientious research, concerning the birth, habits, character, reputation, social condition and educational level of the Aspirant and whether the conditions of Arts. 9 and 10 are met.

Article 16

Secrecy Regarding Information

Anyone who learns of the content of the testimonial letters or of information obtained, is bound to secrecy regarding that information and the persons who have furnished it.

Second Section
ASPIRANCY AND NOVITIATE

Article 17

Those Responsible for Aspirants

- Par. 1 — Once the application for admission has been accepted, the Aspirant is entrusted by the Superior to an expressly delegated Professed Knight, or to a Spiritual Father, for a period of orientation and formation about the Order.
- Par. 2 — The delegated Knight or the Spiritual Father must make a written report to the Superior on the personality, conduct and suitability of the Aspirant.

Article 18

Duration of Aspirancy

Aspirancy must last a minimum of three months and a maximum of one year, during which time the Aspirant must present a written request to be admitted to the Novitiate.

Article 19

Establishment and Validity of the Novitiate

- Par. 1 — The Pories or Subpories of the Order may establish a Novitiate, with a decree of the Grand Master and the advice of the Sovereign Council.
- Par. 2 — On admission to the Novitiate, the Grand Master with the advice of the Professed members of the Sovereign Council, may, for important reasons connected with the personal circumstances of the candidate, provide that he spend the period of his Novitiate in the place of his previous domicile. This may be done provided that it is always guaranteed the candidate have frequent contact with the Novice Master; that the theoretical and practical formation of the Novice in both charisms of the Order – the protection of the faith and the service of the poor (*tuitio fidei et obsequium pauperum*) – is assured; and that instruction from an assistant selected from the First or Second Class in accordance with the norms of Art. 20, par. 2 may be imparted on the historical development of the Order, its traditions, and its juridical evolution.

Article 20

Novice Master

- Par. 1 — The Grand Master chooses the Novice Master and his assistant. The Novice Master must be chosen from among the priests of the Order and, if possible, from the Conventual Chaplains, while the assistant should be selected, if possible, from the Professed Knights and have completed his 35th year of age. The Novice Master is responsible for the formation and spiritual instruction of the Novice.
- Par. 2 — Whenever a Professed Knight distinguished for wisdom and a profound knowledge of the history and juridical situation of the Order is not available in the immediate vicinity of the Novice, the Grand Master, with the consent of the Professed members of the Sovereign Council, is to choose the assistant from the Knights in Obedience.

Article 21

Admission of Aspirants to the Novitiate

- Par. 1 — It pertains to the Grand Master, with the deliberative vote of the competent Chapter and the Professed members of the Sovereign Council, to admit Aspirants to the Novitiate.
- Par. 2 — Knights belonging to the Second Class can ask for direct admission to the Novitiate without passing through the status of Aspirant, subject to Arts. 9 and 10.

Article 22

Spiritual Exercises prior to the Novitiate

The Aspirant, before beginning the Novitiate, is obliged to complete a course of spiritual exercise of eight full days in an approved place, beginning with a general confession, if that is the prudent judgement of the confessor.

Article 23

Entry into the Novitiate

The Novitiate begins in accordance with the norms set forth in the Ceremonial and it is to be recorded in a certified document.

Article 24

Duration of the Novitiate

- Par. 1 — The Novitiate must last one uninterrupted year.
- Par. 2 — The Novitiate may not be extended beyond two years.

Article 25

Change of Residence of the Novice

- Par. 1 — Any change of residence of the Novice during the Novitiate must be authorized by the Superior, having consulted the Novice Master.
- Par. 2 — In case it is necessary for the Novice to change residence, he may be transferred to the care of a Novice Master who resides in the place to which the candidate moves.

Article 26

Change of Location of the Novitiate

On request of the Novice, a Novitiate begun in one prioral or subprioral territory may be continued in another. The transfer must be approved by the Grand Master, having consulted the competent Superiors.

Article 27

Promulgation of the Regulations of the Novitiate

The regulations for the formation of Novices are promulgated by the Grand Master, with the deliberative vote of the Professed members of the Sovereign Council.

Article 28

Duties of Novices

The Novice under the direction of the Novice Master should apply himself to pious exercises and to his religious formation as the regulations provide. He must also study the Rule, the laws and the history of the Order.

The Novice should also be active in works of mercy and, where possible, in the Order's works to which he is called by virtue of the religious vows he seeks to profess.

Article 29

Duties of the Novice Master

The Novice Master is to take care that the Novice is faithful to the religious observances as prescribed for Professed Knights.

Article 30

*Semi-annual Report
of the Novice Master to the Superiors*

Every six months the Novice Master is to provide a written report to the competent Superior, who, with his Council, shall arrange to inform the Grand Master.

Article 31

Request for Admission to Profession

Shortly before the conclusion of the probationary period, the Novice who intends to make vows is to present, through his Superior, a written request to the Grand Master for admission to profession of temporary vows.

Article 32

Spiritual Exercises in Preparation for Profession

In preparation for the profession of temporary vows, the Novice is to undertake a course of spiritual exercises of eight full days in an approved place.

Third Section
PROFESSED KNIGHTS IN TEMPORARY VOWS

Article 33

Admission to Profession

After presentation by the competent Superior, who must have the consent of his Chapter, it pertains to the Grand Master, with the deliberative vote of the Professed members of the Sovereign Council and having heard the opinion of the Prelate of the Order, to admit Knights to first profession of temporary vows.

Article 34

Requirements for the Validity of Profession

For the validity of profession it is required that:

- a) it be preceded by the Novitiate as prescribed by Art. 23 and following;
- b) it be received by the Grand Master, or by the competent Superior, or by one delegated by them;
- c) it be expressed and freely made.

Article 35

Renewal of Temporary Vows

- Par. 1 — When each period for which the vows were taken has elapsed, the Professed Knight at his request will be permitted by his Superior to renew them.
- Par. 2 — During the first three years, temporary vows must be renewed each year immediately after they expire. In the following three-year periods, they will be renewed at the end of each *triennium*. The period of temporary vows must not exceed nine years.
- Par. 3 — The competent Superior, for just cause, can permit the renewal of temporary vows to be anticipated by one month, always provided that the full period preceding perpetual profession has elapsed.

Article 36

Spiritual Retreat for the Renewal of Vows

The renewal of vows must be preceded by a spiritual retreat of three days.

Article 37

Formula of Religious Profession

The Novice Knight, in accordance with the Ceremonial of the Order, is to pronounce the following formula before the competent Superior, or one delegated by him, in the presence of two witnesses:

“I, NN, vow to Almighty God, imploring the assistance of Mary Immaculate, of Saint John the Baptist and of Blessed Gerard, to observe poverty, chastity, and obedience for one year (three years; in perpetuity) to whichever Superior I will be assigned by the Holy Order and I intend to make these vows in the spirit of the statutes and laws of the Order of Malta.”

Article 38

Custody of the Document of Religious Profession

The document containing the formula of religious profession, testifying to the profession and to its renewals, signed by the Knight, by the one who received them and by the witnesses, must be kept in the archives of the Grand Magistracy, and a certified copy must be kept in the archives of the respective Priory, Subpriory, or Association.

Article 39

The Ability to Leave Religious Profession on the Expiry of Vows

At the expiry of temporary vows, a Knight is free to leave religious profession and to return to his previous Class.

Article 40

Appointment of the Spiritual Director for the Professed in Temporary Vows

The Grand Master, with the advice of the Professed members of the Sovereign Council and the competent Prior, appoints the Spiritual Director of the Professed in Temporary Vows choosing him from among the Conventual Chaplains, Conventual Chaplains *ad honorem* or Magistral Chaplains, provided there are no grave reasons to the contrary.

Article 41

Duties of Knights in Temporary Vows

- Par. 1 — Knights in Temporary Vows are bound to the pious exercises and courses in spiritual development prescribed by the respective regulations.
- Par. 2 — Under the guidance of the Spiritual Director, and in accordance with the existing regulations of the various institutions and works of the Order, the Knight in Temporary Vows must dedicate himself to works of mercy “as a servant of our Lords the poor and the sick” and to the defence of the Catholic faith.

Article 42

*Report by the Spiritual Director
of the Professed in Temporary Vows to their Superiors*

At least every year, the Spiritual Director must inform the competent Superiors regarding the religious life of the Knight in Temporary Vows and his activity in the works of the Order.

Article 43

Rights and Privileges of Professed in Temporary Vows

- Par. 1 — Professed Knights in Temporary Vows enjoy the same privileges and spiritual favours to which the Professed in Perpetual Vows have a right. On their death, they have the right to the same prayers.
- Par. 2 — Professed Knights in Temporary Vows have an active and passive voice unless otherwise provided in the Constitution and in the Code.

Article 44

Effects of the Profession of Temporary Vows

The profession of temporary vows renders acts contrary to them unlawful but not invalid.

Fourth Section
PROFESSED KNIGHTS IN PERPETUAL VOWS

Article 45

Requirements for the Validity of Perpetual Profession

For the validity of perpetual profession it is required:

- a) that the Knight have completed 30 years of age;
- b) that he make the profession immediately after the end of the period of temporary vows;
- c) that, upon presentation by the competent Superior and Chapter, the Knight be admitted to Profession by the Grand Master with the advice of the Sovereign Council;
- d) that the *nihil obstat* of the Prelate of the Order be obtained;
- e) that the Profession be made freely, according to the norms of Canon Law;
- f) that it be received by the Grand Master, or by one delegated by him, or the competent Superior, provided he is a Professed Knight.

Article 46

*Duration of Temporary Vows required
for Perpetual Profession*

- Par. 1 — For the validity of perpetual profession, in addition to the provisions of Art. 45, it is required that the period of temporary profession be at least five continuous years, whenever the Aspirant has not completed forty years of age.
- Par. 2 — For Knights over forty years of age, three years of temporary profession are sufficient, provided the conditions prescribed in Arts. 34 and 45 have been observed.

Article 47

*Spiritual Exercises
in Preparation for Perpetual Profession*

Perpetual profession must be preceded by a course of spiritual exercises of eight days in an approved place.

Article 48

Perpetual Profession

- Par. 1 — Perpetual profession must be made in accordance with the Ceremonial of the Order.
- Par. 2 — The document containing the formula of religious profession, testifying to the profession of perpetual vows, must be signed by the Knight who has made the vows, by the person who received the profession, and by two witnesses. A certified copy is to be kept in the archives of the Grand Magistracy and also in the archives of the respective Priory or Subpriory or Association.
- Par. 3 — The Superior must inform the parish priest of the place of baptism of the Professed Knight in Perpetual Vows in order that an entry of the fact may be made in the baptismal register.

Article 49

Effects of Perpetual Profession

Perpetual profession renders acts contrary to it not only unlawful but also invalid, provided that the law of the Church so prescribes.

Fifth Section

PROFESSED CONVENTUAL CHAPLAINS

Article 50

Duties of Conventual Chaplains

Professed Conventual Chaplains with religious vows consecrate themselves to God and, under the authority of the Superiors, dedicate themselves to the pastoral care of the members of the Order, to religious assistance towards its charitable and missionary works, and to the service of its churches.

Article 51

Provisions of the Code concerning Conventual Chaplains

What the Code establishes regarding admission to the Order, the Novitiate and the profession of Knights is applicable to Professed Conventual Chaplains, without prejudice to particular dispositions of Canon Law and Arts. 52 and following.

Article 52

Requirements for Admission of Conventual Chaplains

- Par. 1 — Clerics who have received ordination to the priesthood may be admitted to profession as Conventual Chaplains of the Order.
- Par. 2 — Those who intend to be ordained priests may be accepted as Aspirants to the Novitiate for Conventual Chaplains, and once they have been ordained deacon, may be admitted to the Novitiate.
- The Grand Master, with the advice of the Sovereign Council and the approval of the Prelate, issues special rules for Aspirancy.
- Par. 3 — Before admission to Aspirancy or the Novitiate, approval of the Prelate and of the Ordinary is required.

Article 53

Master of Conventual Chaplains in the Novitiate

- Par. 1 — The Master of Conventual Chaplains in the Novitiate must be a priest, proposed by the Prelate of the Order, who is either himself a Professed of the Order, or failing this, of another institute of consecrated life or society of apostolic life.

Par. 2 — Every six months, the Master of Chaplains in the Novitiate must present a report to the competent Superiors through the Prelate on the suitability and conduct of each Novice.

Article 54

Duration of the Novitiate for Conventual Chaplains

The Novitiate for Conventual Chaplains is to be completed according to the norms of Canon Law and in conformity with Art. 19, par. 2, and must last for at least one year.

Article 55

Temporary Profession of Conventual Chaplains

At the conclusion of the Novitiate, the Conventual Chaplain makes profession of temporary vows for a three year period, in accordance with Canon Law.

Article 56

Formula for Temporary Profession of Conventual Chaplains

In making profession, the Conventual Chaplain pronounces the formula according to the Ceremonial with the same requirements as set forth in Art. 37.

Article 57

Perpetual Profession of Conventual Chaplains

At the end of the period of temporary vows, the Conventual Chaplain makes profession of perpetual vows in accordance with the prescriptions of Canon Law.

Article 58

Ecclesiastical Discipline for Conventual Chaplains

Par. 1 — Professed Conventual Chaplains are directly subject to the Prelate of the Order in matters relating to ecclesiastical discipline. The Prelate is assisted by Chaplains having the title of Prefect.

Par. 2 — The Grand Master, with the deliberative vote of the Sovereign Council and the like opinion of the Prelate, may issue a special regulation for Conventual Chaplains.

Article 59

Rights of and Norms for Professed Conventual Chaplains

Par. 1 — Professed Conventual Chaplains in Perpetual Vows have a voice in Prioral or sub-prioral Chapters.

Par. 2 — Professed Conventual Chaplains must observe the Ceremonial regarding the use of the habit.

Article 60

*The Canonical Title of Poverty
of Professed Conventual Chaplains*

With profession, Conventual Chaplains acquire the canonical title of poverty. Where necessary, the Order assures them of an adequate means of support in accordance with Canon Law.

CHAPTER II
RELIGIOUS VOWS

First Section
THE VOW OF OBEDIENCE

Article 61
The Virtue of Obedience

The virtue of obedience moves the soul to the imitation of Jesus Christ who became obedient even unto death on the Cross.

Article 62
The Vow of Obedience

With the vow of obedience, Professed Knights and Chaplains bind themselves to obey the Holy Father and their legitimate Superiors in accordance with the Constitution and Code.

Article 63
The Precept of the Vow of Obedience

Par. 1 — Superiors convey orders by virtue of the vow when they use the formula “in virtue...”, or “in the name of God...” or some analogous form.

Par. 2 — The command cannot be imposed except for serious and just cause and must be given in writing or in the presence of two witnesses.

Article 64
Observance of the Laws of the Order

The prescriptions contained in the laws of the Order of themselves do not contain a precept under pain of sin unless they concern a matter relating to the vows, or to divine law.

Article 65
Relations with Superiors of the Order

The Professed must have religious respect for their Superiors, and must submit themselves to them in a spirit of love and devotion. Such respect does not conflict with the liberty to make known to such Superiors whatsoever they may think useful for the benefit of the Order.

Article 66

Spirit of Collaboration between Members and Superiors

In order to promote unity and harmony, the Professed are to maintain fraternal relations and confer regularly with their Superiors and be assiduous in attendance at meetings.

Second Section

THE VOW OF CHASTITY

Article 67

The Vow of Chastity

- Par. 1 — The vow of chastity binds the Professed, also by the virtue of religion, to live celibately and to avoid every internal or external act contrary to Christian purity.
- Par. 2 — The temporary vow of chastity constitutes an impeding impediment and the perpetual vow of chastity constitutes a diriment impediment to marriage.

Article 68

Spiritual Aids for the Practice of Chastity

- Par. 1 — In order to remain faithful to his vow of chastity, the Professed should make use of spiritual aids such as, principally, the frequent reception of the sacraments of penance and the Eucharist, a filial devotion to the Immaculate Virgin, mortification of the senses, and profound humility.
- Par. 2 — The Professed, not being bound to the common life, should be even more careful to avoid being involved in worldly social gatherings and entertainments. He must seek to give edification through his conduct, honouring his state as a religious in the Order of Malta.

Third Section

THE VOW OF POVERTY

Article 69

The Vow of Poverty

By the temporary vow of poverty, the Professed renounces the independent use of temporal goods, in accordance with the norms of this Code.

Article 70

Effects of the Temporary Vow of Poverty

The Professed in Temporary Vows retain the ownership of their goods and the capacity, even through inheritance, to acquire other goods.

Article 71

Prohibition against Donations

The Professed in Temporary Vows cannot make gifts of their goods *inter vivos*.

Article 72

The Will prior to Profession

- Par. 1 — Before profession, the Novice must make a Will disposing freely of his present and future goods. After profession, the Will cannot be changed without the permission of the competent Superior of the Order.
- Par. 2 — The original Will or a copy, under sealed cover, is to be submitted to the Superior of the Order, who must see that it is properly kept.
- Par. 3 — The candidate for profession must give an inventory of his estate to the Superior, who is to ensure that it is sealed and kept confidential.

Article 73

Rights of the Order over the Goods of the Professed

Everything which the Professed acquires through his activity or by reason of his membership in the Order (*intuitu religionis*) devolves to the Order.

Article 74

Goods acquired "intuitu religionis"

In the absence of a specific declaration to the contrary, it is assumed that any gift or legacy to the Professed is intended to be *intuitu religionis*.

Article 75

Use and Usufruct of Personal Goods

- Par. 1 — In accordance with the Code of Canon Law, before temporary vows and for their duration, the Novice must cede to a person of his choice the administration of his goods and arrange for their use or usufruct.

The Novice, after making temporary vows, must keep a part of the income from his property to maintain his standard of living and to support the works of the Order.

- Par. 2 — With the consent of the Grand Master, and the deliberative vote of the majority of the Professed Knights of the Sovereign Council, the Professed Knight may retain the administration of his goods even after making temporary vows, in conformity with what is set out in par. 1.

Within the limits foreseen in this Code, he must always administer his goods, as regards their use and enjoyment, with the care and diligence of a good head of household.

Article 76

Conditions regarding the Privilege of Administration, Use and Usufruct of Goods

With the permission of the Grand Master, in accordance with Art. 75 and always under the direction of the Grand Prior or Prior, the Professed is to provide for:

- a) ordinary personal expenses, such as food, lodging, and clothing in accord with his social position, with the obligation to render an account every year to the aforesaid Superior;
- b) future needs with common prudence;
- c) the payment of an annual sum for the works of the Order.

Article 77

Permission for Extraordinary Expenses

According to circumstances, the Professed must obtain prior explicit permission from the Superior for extraordinary expenses.

Article 78

Donations to the Order or other Charitable Causes

After having provided for ordinary and extraordinary expenses, the Professed is obliged, with the consent of the Superiors of the Order, to distribute any excess to the works of the Order or to other charitable causes.

Article 79

The Spirit of the Vow of Poverty

According to the evangelical spirit of poverty, the Professed, although living in the world, must limit his requirements, appropriately depriving himself not only of what is superfluous but also of that which is not truly necessary.

Article 80

Effects of the Perpetual Vow of Poverty

With the perpetual vow of poverty, the Professed renounces not only the use and usufruct of his goods but also their ownership and the capacity to possess or acquire temporal goods.

Article 81

Renunciation of Goods before Perpetual Profession

During the sixty days preceding perpetual profession, the Professed in Perpetual Vows must renounce all goods to which he has title in favour of whomever he wishes. This act is subject to actually making perpetual profession.

Article 82

Goods Acquired by Professed in Perpetual Vows

Goods which come to the Professed in any way whatsoever after perpetual profession become the property of the competent Grand Priory or Priory, or of the Common Treasure in the case of Professed *in gremio religionis*.

Article 83

Request for an Indult regarding the Perpetual Vow of Poverty

When forwarding the request to the Holy See for admission to perpetual profession, the Grand Master, with the deliberative vote of the majority of the Professed Knights of the Sovereign Council, may for just reasons also request for the candidate the concession of a special provision concerning the observance of the vow of poverty.

Article 84

Acts subsequent to Perpetual Profession

As soon as perpetual profession has been made, the Professed must take the actions necessary to ensure that its effects are recognized in civil law.

CHAPTER III
OBLIGATIONS
OF THE PROFESSED IN GENERAL

Article 85

Duties of the Professed

The Professed, mindful of their high vocation and of the obligations they have freely assumed before the Church and the Order, must conform their lives to the spirit of the Gospel, according to the Constitution and the Code, and strive toward religious perfection.

Article 86

Religious Practices of the Professed

The Professed must fulfil diligently the common duties of the Christian life and, unless legitimately impeded:

- a) dedicate at least one hour a day to pious practices;
- b) frequent assiduously Holy Communion and the sacrament of penance according to the advice of their Spiritual Directors;
- c) take part each year in a course of spiritual exercises of at least five full days in a religious house.

Article 87

Liberal Professions and Public Offices

Professed Knights may, with the approval of the Superior, practice a liberal profession and accept public office.

Article 88

Regulations for the Activity of the Professed

In conformity with the Code, the Grand Master, with the deliberative vote of the majority of the Professed members of the Sovereign Council, is to establish an appropriate regulation regarding how the Professed should dedicate their lives to the apostolate and activities of the Order.

Article 89

Rights of Professed Knights

Professed Knights have a voice in the Chapter to which they belong.

CHAPTER IV
TRANSFER
TO ANOTHER INSTITUTE OR SOCIETY
DEPARTURE & DISMISSAL FROM THE ORDER

Article 90

Transfer to another Institute or Society

For the transfer of a Professed member of the Order to another institute of consecrated life or society of apostolic life, the norms of Canon Law must be observed.

Article 91

Secularization and Departure from the Order

For secularization and departure from the Order of the Professed, the norms of the Code of Canon Law are to be applied, without prejudice to the dispositions of can. 688.

Article 92

*Exclusion from Financial Claims
of Those who leave the Order*

Those who leave the Order can not make any claim against the Order for services rendered or for future considerations.

Indeed, before making profession, and after having obtained independent legal advice, the candidate must first sign a declaration to this effect.

Article 93

Dismissal from the Order

Dismissal of Professed from the Order is regulated by the norms of Canon Law.

CHAPTER V

MEMBERS OF THE SECOND CLASS

First Section

KNIGHTS AND DAMES IN OBEDIENCE

Article 94

Promise and obligations

- Par. 1 — According to their state in life and in conformity with their own vocation and the directives of their legitimate Superiors, Knights and Dames in Obedience oblige themselves by a special promise, which binds in conscience, to a life leading to Christian perfection in the spirit of the Order and in the sphere of its works. Conscious of the spiritual value of such a commitment before God, they must diligently observe the divine law and the precepts of the Church so as to be a constant example of piety and virtue, of apostolic zeal and of devotion to the Holy Church.
- Par. 2 — Knights and Dames in Obedience undertake to utilize their temporal goods according to the spirit of the Gospel.
- Par. 3 — Knights and Dames in Obedience do not enjoy privileges or precedence with respect to other members of the Order.

Article 95

*Requirements for Admission of
Knights and Dames in Obedience*

To comply with the requirements for admission the Aspirant to Knight or Dame in Obedience must provide proof:

- a) of professing the Catholic religion;
- b) of not being subject to any canonical or moral impediment;
- c) of having completed twenty-five years of age;
- d) of belonging to the Order for at least one year;
- e) of having the written consent of the spouse, if marriage has been contracted.

Article 96

Procedure for Admission

- Par. 1 — A member of the Order who wishes to be admitted to the Promise must submit a written request to the Prior or the Regent and to the President of the Association to which the member belongs together with the documents specified in Art. 95.
- Par. 2 — The authority indicated in Par. 1, having heard the opinion of the respective Chapter or Council, proposes to the Grand Master the admission of the candidate to the year of preparation.

Par. 3 — Admission is granted by the Grand Master, with the deliberative vote of the Sovereign Council and the *nihil obstat* of the Prelate.

Article 97

Preparation of Candidates

Par. 1 — The preparation must be carried out under the guidance of a Professed Knight or, in his absence, of a Knight or Dame in Obedience of proven zeal and prudence or by a priest, preferably a Chaplain of the Order, designated by the respective Superior with the agreement of the Grand Master.

Par. 2 — The candidate is to begin and conclude the period of preparation with a course of spiritual exercises of at least five full days in an approved place.

Par. 3 — During the period of preparation, the Knight or Dame or priest to whom the guidance of the candidate has been entrusted must take care that the candidate learn about the regulations, history and traditions of the Order. He must form and initiate the candidate in pious practices, in the exercise of the apostolate and in all obligations proper to the Promise.

To this end, the candidate must practice charity in visiting the sick and the poor, if possible within the framework of the Order's works.

Article 98

Report on the Candidate

At the end of the year of preparation, the person charged with the spiritual guidance is to present to the competent Superior a report on the conduct of the candidate.

Article 99

Admission of the Candidates to the Promise

At the end of the year of preparation, with the agreement of the respective Chapter or Council, the Superior presents the proposal for admission to the Promise for acceptance by the Grand Master, after having heard the Sovereign Council and the Prelate.

Article 100

Promise and Related Acts

Par. 1 — The Aspirant admitted to the Promise pronounces the following formula:

“I, N.N., calling on the name of God, promise faithfully to observe the laws of the Sovereign Military Hospitaller Order of St. John of Jerusalem, of Rhodes and of Malta, to carry out the duties proper to Knights and Dames in Obedience and to render due obedience to whichever Superior shall be given to me.

So help me God, the Immaculate Virgin, Saint John the Baptist our Glorious Patron, Blessed Frà Gerard our Holy Founder, and all the Saints of the Order.”

Par. 2 — The Promise must be received by the Grand Master, Prior or Regent or by his special delegate, in the presence of two witnesses.

- Par. 3 — The document attesting to the Promise is to be signed by the Knight or Dame who has made the Promise, by the person who has received the Promise and by two witnesses.
- Par. 4 — The original document is to be kept in the archives of the Grand Magistry and a certified copy in the archives of the Priory, Subpriory or Association.
- Par. 5 — The ritual of the Promise is regulated by the Ceremonial.

Article 101
Spiritual Duties

The Knight or Dame in Obedience should:

- a) collaborate with fellow members in prayer and works and to this end is bound to recite daily the *Credo* and one *Pater, Ave* and *Gloria*.
- b) attend Holy Mass frequently, diligently approach the Sacraments of Penance and the Eucharist according to the advice of their own spiritual director, and participate in parochial life;
- c) take part each year in a course of spiritual exercises of at least three full days in an approved place, and take part in courses and meetings for formation and instruction called by the Superiors;
- d) follow the spiritual rule of life approved by the Grand Master, with the deliberative vote of the Sovereign Council.

Article 102
Criteria for Assignment of Duties

In the assignment of duties to a Knight or Dame in Obedience, Superiors must take into account the obligations of their state in life, their abilities, their special professional training and their availability.

Article 103
Change of Tasks

A Knight or Dame in Obedience who, for just cause, has difficulty in fulfilling a prescribed task, should notify the competent Superior who is to assign another activity.

Article 104
Withdrawal from the Promise

Par. 1 — The Knight or Dame in Obedience may withdraw from the Promise for important personal reasons.

The request must be presented to the appropriate Superior who will forward it to the Grand Master together with his opinion and that of the respective Chaplain.

The Grand Master, with the deliberative vote of the Sovereign Council, is to decide upon the request.

Par. 2 — Upon notification of the dispensation from the Promise, a Knight or Dame in Obedience ceases to be part of the Second Class and returns to his or her original Class. If the dispensation is denied, the Knight or Dame may remain in the Second Class or withdraw from membership in the Order.

Article 105

Disciplinary Sanctions

Culpable failure to observe the obligations which derive from the Promise incurs the application of the disciplinary sanctions specified in Art. 120 and following.

Article 106

Use of the Habit and Insignia

The use of the habit and insignia by Knights and Dames in Obedience is specified and fixed by the Ceremonial.

Article 107

Passage to Religious Profession

Par. 1 — The norms of Title II, Chapter I apply to a Knight in Obedience who asks to be admitted to religious profession in the Order and is canonically free to do so.

Par. 2 — The favourable outcome of the process indicated in Par. 1 enables the Knight to commence the Novitiate immediately.

Second Section

COMMON REQUIREMENTS

Article 108

Admission of Members of the Third Class

Par. 1 — For admission to the Order, the candidate must be proposed to the Grand Master either by a member of the Sovereign Council with the consent of the Prior or the President of the Association, through the Chancery of the Grand Magistry, or by the Prior or the President of the Association.

Par. 2 — Presentation of nobiliary proofs does not constitute in itself a right to be admitted to the Order.

Article 109

Preparatory year

The reception of Knights, Dames and both male and female Donats must be preceded by a preparatory period of one year during which the candidate becomes acquainted with the history of the Order and participates in its works and programmes. The Sovereign Council has the power to dispense from this requirement in individual cases.

Article 110

Reception of Priests

- Par. 1 — The favourable opinion of the Prelate is required for the admission of Conventual Chaplains *ad honorem* or Magistral Chaplains.
- Par. 2 — The favourable opinion of the *Cardinalis Patronus*, with the advice of the Prelate, is required for the admission of Grand Cross Conventual Chaplains *ad honorem*.
- Par. 3 — With the advice of the Sovereign Council, the Grand Master may receive or promote a Cardinal of the Holy Roman Catholic Church to the dignity of Bailiff Grand Cross of Honour and Devotion.

Article 111

Holders of Awards

Those awarded with the decoration *pro Merito Melitensi* do not become thereby members of the Order.

Article 112

Nobiliary Requisites

The nobiliary requisites for those who aspire to be received into the Order must be examined on the basis of a special regulation which will be issued by the Grand Master, with the advice of the Sovereign Council, within one year after this Code becomes effective.

Article 113

Requirements for Admission

- Par. 1 — To comply with the requirements for admission, the aspirant Knight or Dame must provide proof of profession of the Catholic religion.
- Par. 2— The request for admission, signed by the candidate, must be supported by the following additional documents:
- a) a certificate of baptism, a birth certificate which proves age of majority, and a certificate of family status;
 - b) special titles of merit either received or expected;
 - c) a letter of recommendation from the proper Ordinary regarding the candidate's life and conduct;
 - d) a certificate of completion of the preparatory year.
- Par. 3 — For priests, it is sufficient to present a letter of recommendation or *nihil obstat* from the proper Ordinary or the Superior of his Order and a certificate of ordination.

Article 114

Admission

Admission to the Order pertains to the Grand Master, with the deliberative vote of the Sovereign Council.

Article 115

Admission "motu proprio"

Par. 1 — The Sovereign Council, the Prior and the President of the Association concerned are to be informed in advance of an admission to be made on the Grand Master's authority alone (*motu proprio*).

Par. 2 — The number of admissions *motu proprio* is determined by the Chapter General.

Article 116

Duties

In accordance with the Constitution, members of the Third Class shall conduct themselves so as to give Christian example in their private and public lives, thus putting into effect the tradition of the Order. It is incumbent on them to collaborate effectively in its hospitaller and social works.

Article 117

Collaboration between Professed Conventual Chaplains and Chaplains of the Third Class

Chaplains belonging to the Third Class are to collaborate as far as possible with Professed Conventual Chaplains in compliance with the directives of competent Superiors and of the Prelate of the Order.

Article 118

Rite of Reception

The reception of members of the Order is to take place during Mass in accordance with the Ceremonial. The presentation of the decree may be made after the rite.

CHAPTER VI

DISCIPLINARY PROVISIONS FOR MEMBERS
OF THE SECOND AND THIRD CLASS

Article 119

Disciplinary Sanctions

Members belonging to the Second and Third Class whose conduct is less than exemplary are subject to the disciplinary sanctions provided in the present Chapter.

Article 120

Forms of Disciplinary Sanctions

According to the seriousness of the offence, disciplinary sanctions take the form of:

- a) warning;
- b) reprimand;
- c) suspension;
- d) dismissal.

Article 121

Warning and Reprimand

No special procedure is necessary for the warning and the reprimand, however it is the duty of the Superior, in the spirit of the Gospel, to correct or remind the member of his duty.

Article 122

Disciplinary Commission

For investigations regarding a suspension or dismissal, a permanent Disciplinary Commission, consisting of three members and assisted by a secretary, is to be constituted in each Priory, Subpriory and Association.

Article 123

Suspension and Dismissal

Par. 1 — Suspension is a temporary disciplinary measure which may be imposed on a member of the Order:

- a) if the member is found to be in an unworthy status;
- b) if the member has not paid the prescribed contribution for at least two years, and until the situation has been clarified and payment has been made of the overdue amount.
Before the suspension, the member's Superior may suggest as a precaution that he withdraw.
- c) if the member is under investigation by the courts for grave acts of a moral nature, verified by the Grand Master with the assistance of the Sovereign Council.

In the case of holders of elective offices, the consent of the Sovereign Council, expressed with a two-thirds majority and the vote of the Grand Master, is required. In the case of acts regarding the Order, suspension will not be proposed but internal disciplinary norms are to be applied.

- Par. 2 — Dismissal is a definitive disciplinary measure which may be imposed if a member of the Order:
- a) adopts conduct gravely incompatible with his or her membership in the Order;
 - b) has not made payment of overdue contributions and persists for another two years in this state of default.
- Par. 3 — The disciplinary measures will be imposed by the Grand Master, with the advice of the Sovereign Council, on request of the member's Superior.

Article 124

Preliminaries to Disciplinary Procedures

- Par. 1 — The initiation of a disciplinary procedure pertains to the Superior who must communicate this fact to the Chancery of the Grand Magistracy.
- Par. 2 — The Grand Master with the advice of the Sovereign Council may, for just cause, call the case to himself, setting up a special disciplinary commission.
- Par. 3 — As a precautionary measure in every case, the Grand Master has the power to suspend one who is subject to disciplinary procedure.

Article 125

Disciplinary Procedure

- Par. 1 — One who is subject to a disciplinary procedure must be informed immediately and enabled to prepare his defence within the established period which must be adequate.
- Par. 2 — At the end of the established period, the President of the Commission summons the accused before the Disciplinary Commission within a period of not less than fifteen days. During this period, the accused may exercise his right of challenge in accordance with the Code of civil procedure.
- Par. 3 — The accused may choose a Counsel, who must be a member of the Bar or otherwise enrolled as a member of the legal profession in his country with the right of audience in its superior courts for at least ten years.

Article 126

The Disciplinary Procedure

- Par. 1 — Witnesses must be sworn prior to giving evidence.
- Par. 2 — Under pain of nullity, the only documentation usable by the Commission is that contained in the acts of the case.
- Par. 3 — The discussions are not public.
- Par. 4 — Absolute secrecy must be maintained.
- Par. 5 — The minutes of the hearing are drawn up by the Secretary who signs them along with the President.

Article 127

Disciplinary Resolution

- Par. 1 — At the conclusion of the enquiry, the Commission remits the file of the proceedings to the Superior together with a report on the findings of the enquiry.
- Par. 2 — Where the findings of the enquiry merit suspension or dismissal, the Superior sends the file and the report of the Commission to the Grand Master to whom it pertains to make the decision, with the deliberative vote of the Sovereign Council.

Article 128

Notification of Resolution

- Par. 1 — Notification of the disciplinary resolution is conveyed in writing by registered delivery.
- Par. 2 — An official record of the notification having been made must be kept in the Magistral Archives.

Article 129

Appeal

- Par. 1 — Within thirty days of notification, a documented appeal in writing to the Magistral Courts is permitted against the disciplinary resolutions.
- Par. 2 — The appeal may be sent by registered mail with a notice of receipt which attests to the date it was dispatched.

CHAPTER VII

GRADES AND HONOURS

Article 130

Grades of the Order

- Par. 1 — The members mentioned in Art. 8 of the Constitution belonging to the First and Second Class, as well as the categories a), c) and e) of the Third Class, are divided into the grades of:
- a) Knight or Dame;
 - b) Knight Grand Cross or Dame Grand Cross.
- Par. 2 — The dignity of Bailiff may be conferred on Knights Grand Cross of Justice and on Knights Grand Cross of Honour and Devotion of the Second Class and Third Class as well as on Cardinals of the Holy Roman Church.
- Par. 3 — The honour of the Sash may be conferred on Knights Grand Cross of Grace and Devotion, and on Knights Grand Cross of Magistral Grace.
- Par. 4 — The grade of Chaplain Grand Cross may be conferred on Professed Chaplains and on Conventual Chaplains ad honorem.
- Par. 5 — The form of the insignia of the different classes, categories and grades is established by regulations approved by the Grand Master with the deliberative vote of the Sovereign Council.

Article 131

The Benefits of Commander

The benefits of Commander belong by right:

- a) to Professed Knights in Perpetual Vows who have been invested by the competent Priory with a Commandery of Justice;
- b) according to the terms of the foundation, to the Knights of Honour and Devotion who are titulars of hereditary *ius patronatus* Commanderies.

Article 132

Honours of the Order

- Par. 1 — Upon those who have acquired special merit may be conferred:
- a) the Collar of the Order *pro "Merito Melitensī"*;
 - b) the Cross of the Order *pro "Merito Melitensī"*;
 - c) the Medal of the Order *pro "Merito Melitensī"*.
- Par. 2 — The grade and division, civil or military, of the decoration are regulated by a special statute issued by the Grand Master, with the advice of the Sovereign Council.

Article 133

Requirements for Candidates for Honours

Candidates for honours must be persons of exemplary integrity.

TITLE III
THE GOVERNMENT

CHAPTER I
THE GRAND MASTER

Article 134
Duties

The Grand Master, as religious Superior and Sovereign, is to devote himself entirely to the growth of the Order's works and serve as an example in religious observance to all members.

Article 135
Incompatibility of the Office with Other Positions

- Par. 1 — At the moment of acceptance of the election to Grand Master, all offices and prerogatives with which he had previously been invested in the Order become vacant.
- Par. 2 — The Grand Master must immediately give up all other activities incompatible with his position.

Article 136
Residence

The residence of the Grand Master is at the seat of the Order, from which he may be absent only for official duties, unavoidable necessity, or for justifiable reason.

Article 137
Authority

The personal authority of the Grand Master extends to all persons, organizations and properties of the Order, in accordance with its laws.

Article 138
Supervisory Responsibilities

It is the duty of the Grand Master to supervise the conventual houses and churches of the Order, so that proper discipline is observed and religious spirit is maintained, as well as to supervise the institutions authorized to use the Order's emblem.

Article 139

Visitations to the Institutions of the Order

At least once every five years, either personally or through members of the First or Second Class, the Grand Master is obliged to visit the Priors and Subpriors, as well as the Associations and works of the Order.

Article 140

Publication of Documents

In addition to documents relating to his Government, the Grand Master is to ensure that documents of the Holy See regarding the Order are published in the *Bollettino Ufficiale*.

Article 141

Resignation from Office

The Grand Master who resigns from office assumes during his lifetime the dignity of titular Bailiff Grand Prior and is subject only to the Head of the Order.

CHAPTER II

EXTRAORDINARY GOVERNMENT

Article 142

*Government of the Order during Vacancy
of the Office of Grand Master*

In all cases when the Order cannot be governed by a Grand Master, a Lieutenant *ad interim* replaces him.

CHAPTER III

THE LIEUTENANT AD INTERIM

Article 143

Duties

The Lieutenant *ad interim* shall inform the Holy Father, the Heads of States with whom the Order maintains diplomatic relations, and the various organizations of the Order, of the vacancy of the office of Grand Master.

Article 144

Powers

- Par. 1 — The Lieutenant *ad interim* with the Sovereign Council must limit himself to ordinary administration, refraining from initiatives that are not necessary or urgent.
- Par. 2 — During the period of *interim* government, the admission of members and the conferment of honours are suspended.

Article 145

Convocation of the Council Complete of State

The Lieutenant *ad interim*, having heard the Sovereign Council, summons the Council Complete of State not earlier than fifteen days nor later than three months from the date of the notification mentioned in Art. 143.

CHAPTER IV

THE LIEUTENANT OF THE GRAND MASTER

Article 146

Powers

The Lieutenant of the Grand Master enjoys the same powers as the Grand Master with the exception of the prerogatives of honour pertaining to a sovereign.

CHAPTER V

CONFERMENT OF OFFICES AND INCOMPATIBILITIES

Article 147

Conferral of Offices of the Order

Offices of the Order are conferred exclusively upon its members. Exceptions are possible for diplomatic representatives.

Article 148

Incompatibility of Offices

- Par. 1 — The same person may not hold more than one of the following offices:
- Member of the Sovereign Council;
 - Member of the Government Council;
 - Prior, Regent;
 - Lieutenant of the Prior;
 - Procurator;
 - Vicar;

- President of a National Association;
- Member of the Board of Auditors, of the Juridical Council, and of the Magistral Courts;
- Advocate-General.

Par. 2 — It is possible, however, to be a judge of the Magistral Courts and a member of the Juridical Council at the same time.

CHAPTER VI

HIGH OFFICES OF THE GRAND MAGISTRY

Article 149

The Grand Commander

- Par. 1 — In the case of the death, resignation from office or permanent incapacity of the Grand Master, the Grand Commander shall exercise the function of Lieutenant *ad interim*.
- Par. 2 — In case the incapacity of the Grand Master proves permanent, the Grand Commander must immediately convene the Sovereign Council to deal with the matter in accordance with Art. 17, par. 2 of the Constitution.

Article 150

Duties of the Grand Commander

- Par. 1 — The Grand Commander:
- a) assists the Grand Master in fulfilling the charisms of the Order and in the diffusion and protection of the faith, in the supervision of the Priories and Subpriories, and in the supervision of the members of the First and Second Class;
 - b) compiles visitational reports and the reports to be sent to the Holy See on the state and life of the Order.
- Par. 2 — Care of the chapel of the Magistral Palace and the organization of pilgrimages of the Order are included in the responsibilities of the Grand Commander.
- Par. 3 — The Grand Commander exercises the function of Superior regarding members of the First and Second Class *in gremio religionis*.

Article 151

The Grand Chancellor

- Par. 1 — The Grand Chancellor is head of the Chancery and its related offices.
- Par. 2 — He is responsible for foreign affairs, the Associations and matters concerning members of the Third Class. To this end he may be assisted by one or more Secretaries-General.

Par. 3 — At the request of the Grand Chancellor, Secretaries-General are appointed by the Grand Master, with the deliberative vote of the Sovereign Council. Their appointment is limited to the duration of the Grand Chancellor's tenure in office.

Article 152

Duties of the Grand Chancellor

Par. 1 — The following pertain to the Grand Chancellor:

- a) active and passive representation of the Order with third parties;
- b) the conduct of policy and the internal administration of the Order, without prejudice to the competencies of the other High Officers;
- c) the preparation and despatch of the acts of government as well as the organization of various offices according to the directives of the Grand Master;
- d) the arrangement, examination and presentation of subjects to be treated in the Sovereign Council as previously established with the Grand Master.

Par. 2 — The Grand Chancellor supervises the editing of the minutes of the meetings of the Sovereign Council and provides for the drafting of the relevant decisions. The minutes must be approved and signed at the next meeting of the Sovereign Council.

Article 153

Execution of the Decrees of the Grand Master

The decrees of the Grand Master, whether magistral or conciliar, do not have effect if they are not countersigned by the Grand Chancellor.

Article 154

Diplomatic Missions of the Order

Par. 1 — Diplomatic representations are under the direction of the Grand Chancellor.

Par. 2 — The chiefs of mission of the Order represent the Grand Master to the governments to which they are accredited. Even when there are organizations of the Order in the respective countries, it is their responsibility to deal independently with matters as they have been instructed by the Grand Magistry.

Par. 3 — Each individual chief of mission is to submit a report to the Grand Chancellor, at least twice yearly or as often as requested by the Grand Chancellor, on the political and religious situation in the country to which he is accredited, on the activities of the Order and their acceptance in the opinion of the public, the local Bishops and other ecclesial structures.

Par. 4 — The chief of mission will maintain good and friendly relations with the organizations of the Order in the State in which he works.

Par. 5 — Having heard the Sovereign Council, appointment and recall of diplomatic representatives pertain to the Grand Master, on the recommendation of the Grand Chancellor.

Par. 6 — Appointments of diplomatic representatives of the Order expire after four years and may be renewed for additional four-year terms.

Article 155

Duties of the Grand Hospitaller

- Par. 1 — The Grand Hospitaller promotes, co-ordinates and supervises the works of the Priors, the Associations and other organizations of the Order in accordance with the dispositions of the Code, regulations and respective statutes. He inspects the proper functioning of all charitable works which are directly under the Grand Magistracy.
- Par. 2 — The Grand Hospitaller has the responsibility to ensure that the pastoral directives of the Prelate of the Order are carried out by those who serve in the charitable works of the Order and those who are aided in its institutions.
- Par. 3 — The Grand Hospitaller may be assisted in his duties, when he considers it opportune, by a council composed of members who are representative of the different geographical areas in which the Order is present.
The members are appointed by magistral decree on recommendation of the Grand Hospitaller and remain in office until the expiry of his mandate.

Article 156

Duties of the Receiver of the Common Treasure

- Par. 1 — The Receiver of the Common Treasure:
- a) directs the administration of the goods of the Order in co-ordination with the Grand Chancellor, under the authority of the Grand Master and the surveillance of the Board of Auditors;
 - b) is responsible for drawing up the annual accounts, budgeted and actual, relating to the economic and financial state of the Order, submitting them to the Board of Auditors and to the Grand Master for approval with the advice of the Sovereign Council;
 - c) is to submit to the Grand Master for approval, with the advice of the Sovereign Council, the acceptance of inheritances, bequests and donations, and the disposal and subsequent reinvestment of the goods of the Order;
 - d) manages and supervises the Magistral Postal Service;
 - e) directs and supervises, through a Secretary General, the internal services of the Magistral household, in particular the Office of Personnel of the Grand Magistracy, the Office of Technical Services and the superintendence of the Magistral Palace and other buildings.
- Par. 2 — At the recommendation of the Receiver of the Common Treasure, the Secretary-General is appointed by the Grand Master, with the deliberative vote of the Sovereign Council, for the duration of the Receiver's tenure.

Article 157

Mandate from the Grand Master to the Receiver of the Common Treasury

- Par. 1 — With the mandate of the Grand Master, the Receiver of the Common Treasure supervises the administration of the organizations and works of the Order.

Par. 2 — The Receiver of the Common Treasure must countersign acts of disposal or assignment and contracts which involve the property of the Grand Magistry and the Pories.

Article 158

Residence of the Holders of High Offices

The holders of the High Offices are to have a domicile at the seat of the Order.

Article 159

Vacancy in a High Office

In the case of a vacancy of one of the High Offices, the Grand Master, with the deliberative vote of the Sovereign Council, which is to be convened immediately, proceeds to the appointment by co-optation of a successor who shall remain in office until the next Chapter General.

CHAPTER VII

THE PRELATE AND CLERGY

Article 160

Duties of the Prelate

The Prelate, in agreement with the Superiors, is to see that the priestly activity of Professed Chaplains, of those *ad honorem* and of Magistral Chaplains as well as of other priests employed in the spiritual service of the Order be effective and productive in accordance with a special rule which he himself has drawn up and first communicated to the Grand Master.

Article 161

Duties of Professed Conventual Chaplains

In virtue of their religious profession, it is the primary duty of Chaplains of the First Class to devote themselves to the spiritual care of the members of the Order and to the apostolate of its works, in accordance with the dispositions of the Superiors.

Article 162

The Ministry of the Chaplains

Professed Chaplains, Chaplains *ad honorem* and Magistral Chaplains are to:

- a) conduct sacred functions on the occasion of major religious solemnities and those which are of special importance for the Order;
- b) organize advanced courses in religious education, as well as devotional meetings and exercises;
- c) ensure that members of the Order are provided with spiritual assistance, particularly in case of illness.

CHAPTER VIII
SOVEREIGN COUNCIL

Article 163

Seat

The Sovereign Council normally meets at the seat of the Order.

Article 164

Assumption of Office

The members of the Sovereign Council assume office by taking the prescribed oath in the presence of the Grand Master.

Article 165

Agenda and Notice of Meetings

- Par. 1 — The Grand Master is to prepare the agenda and convene the Sovereign Council at least six times a year or when necessary.
- Par. 2 — The members of the Sovereign Council can submit questions and proposals to be included in the agenda.
- Par. 3 — The Priors, Regents of the Subpriories and Presidents of Associations have the right to present to the Grand Master proposals pertaining to their responsibilities for consideration by the Sovereign Council.
- Par. 4 — The Chancery of the Grand Magistracy must give the members of the Sovereign Council adequate notice of meetings and the agenda.

Article 166

Conditions for Validity of the Decisions

Decisions of the Sovereign Council are not valid if they are made in the absence of the Grand Master or of his particular delegate or whenever an absolute majority of the members is not present.

Article 167

Replacement of Members

In cases of death, resignation or absence of more than six months of one of the members of the Sovereign Council, the Grand Master is to invite the Sovereign Council to proceed to the election of a replacement in accordance with the provisions of Art. 159.

Article 168

Special Cases Requiring a Secret Ballot

In addition to cases expressly provided for, the vote of the Sovereign Council must be secret when it deals with the admission of members of the First or Second Class or questions concerning individual persons or whenever it is requested by a member of the Sovereign Council.

Article 169

Removal from Office

- Par. 1 — It is reserved to the Grand Master, with the deliberative vote of the Sovereign Council including a two-thirds majority of those voting, having heard the advice of the Juridical Council, to remove a member of the Sovereign Council from office for just cause.
- Par. 2 — The conciliar decree of removal may be appealed before the Magistral Courts.

CHAPTER IX

GOVERNMENT COUNCIL

Article 170

Place of Meetings

The Government Council is convened by the Grand Master who presides in accordance with Art. 21 of the Constitution. It meets at the seat of the Order or at another place determined by the Grand Master, after having heard the Sovereign Council.

Article 171

Assumption of Office

Members of the Government Council assume office by taking the prescribed oath before the Grand Master.

Article 172

Agenda and Notice of Meetings

- Par. 1 — The Grand Master is to prepare the agenda for the Government Council which must be sent by the Chancery together with notice of the meeting at least six weeks in advance.
- Par. 2 — Each member of the Government Council has the right to propose items for inclusion on the agenda. They must be submitted at least three weeks prior to the date established for the meeting.

Article 173

Minutes

- Par. 1 — Minutes are to be taken at each meeting and are to be kept at the Grand Magistry.
- Par. 2 — At the end of each session and prior to its conclusion, all resolutions are to be read again and entered in the minutes. Approval of each individual resolution requires the approval of the majority of those present.
- Par. 3 — An extract of the minutes containing the approved resolutions signed by the Grand Chancellor is to be delivered or sent to all the members by registered mail with return receipt.

Article 174

Obligation of Secrecy

- Par. 1 — Discussions and the minutes are to be kept secret, except for approved resolutions.
- Par. 2 — Members of the Government Council have access to the minutes in the offices of the Grand Magistry.

CHAPTER X

CHAPTER GENERAL

Article 175

Convocation

In accordance with Art. 22 of the Constitution, the head of the Order convenes and presides over the Chapter General.

Article 176

Delegates of the Organizations of the Order

- Par. 1 — The two delegates who represent Priories in accordance with Art. 22, par. 2 f) of the Constitution are elected, in accordance with the prioral statutes, from the members of the Priory by the Chapter, by a majority of those present.
An alternate delegate may be delegated.
- Par. 2 — The Knights in the First and Second Class *in gremio religionis* elect in writing two representative Knights in accordance with Art. 22, par. 2 g) of the Constitution. The two Knights who receive the greatest numbers of votes are elected. The invitation to participate in the election is to be sent in writing by the Grand Commander.
- Par. 3 — The representation of the Subpriories consists of five Regents, elected in a meeting of the Regents. For each delegate an alternate shall be elected. The assembly in which the Regent delegates are elected is chaired by the Regent of the oldest Subpriory who must set the date and place of the meeting and the agenda.

Par. 4 — The representation of Associations consists of fifteen members elected at a meeting of the Presidents. For each delegate an alternate shall be elected. The delegates do not necessarily have to be Presidents of Associations. The meeting in which the representatives of the Associations are selected is chaired by the President of the oldest Association who must set the date and place of the meeting and the agenda.

Article 177

Place and Date of Meeting and Agenda

Par. 1 — The Grand Master, or the Lieutenant in office, with the deliberative vote of the Sovereign Council, sets the place and date of the Chapter General, giving notice at least six months in advance to the constituent bodies.

Within three months of the day of notice, the Priors and Associations are to inform the Grand Master of the names of the delegates and the alternates elected in accordance with Art. 176.

Par. 2 — At least sixty days before the date set for the meeting of the Chapter General, the Grand Master, with the advice of the Sovereign Council, sets the agenda, sending it to the Capitulars along with the relevant documentation.

Par. 3 — Within thirty days of the date of receipt of the agenda, the Capitulars are entitled, even individually, to send to the Grand Master, in writing, proposals of matters to be included in the agenda, accompanied by appropriate documentation and explanatory reports.

Par. 4 — Until sixty days before the opening of the Chapter General, Knights of Justice can submit to the Grand Chancellor proposals they wish to be considered in the Chapter General.

Article 178

Obligation of the Capitulars to Attend

Par. 1 — The Capitulars are obliged to attend personally unless there is a justified impediment recognized as legitimate by the Grand Master.

The alternate replaces the original delegate for the entire duration of the Chapter General.

Par. 2 — In this case, the elected delegates can be substituted by the alternates designated in accordance with Art. 177. The Chancery of the Grand Magistracy must be notified of the substitution at least thirty-six hours before the beginning of the Chapter General.

Article 179

Initial Acts

Par. 1 — The Chapter General begins with the celebration of Holy Mass.

Par. 2 — At the first session, after having verified the credentials of each of the members, the Chapter proceeds to the election, by a majority of those present, of the Secretary and the two scrutineers who are to take the customary oath before assuming their duties.

- Par. 3 — The Chairman gives a report on the state of the Order.
- Par. 4 — The Prelate presents a report on the spiritual state of the Order.
- Par. 5 — The Receiver of the Common Treasure presents a report on the use of funds received from the various organizations and members of the Order.
- Par. 6 — The Chairman notifies the Chapter of the requests presented by the Pories, Sub-pories, Associations and individual members of the Order.

Article 180

Capitular Commissions

Having heard the reports, the Chapter may elect, by a majority of those present, one or more commissions for the examination of questions and for the preparation of observations and proposals, if any, for discussion.

Article 181

Consultants

The Grand Master, with the agreement of the Chapter, may ask members of the Order, without the right to vote, to report on questions of special interest.

Article 182

Election of members of the Sovereign Council, of the Government Council and of the Board of Auditors

- Par. 1 — At the end of discussions, the Chapter General is to elect by separate ballot the individual members of the Sovereign Council, the Government Council and the Board of Auditors in accordance with the Constitution.
- Par. 2 — If the candidate elect is present, he is to accept the election or reject it immediately.

In case he is not present, the Chairman is to ask him immediately by appropriate means whether he accepts election.

In both cases, however, at the request of the candidate elect, he may be granted a period of thirty-six hours for reflection.

The Chapter General, after refusal by the candidate elect, moves immediately to the election of a new candidate.

Article 183

Annual Contribution and Passage Fee

- Par. 1— The Chapter General sets the annual contribution and the passage fee to be given to the Grand Magistracy in accordance with Art. 9, par. 4 of the Constitution. A five- year budget on the use of the annual contributions will be submitted to the Chapter by the Receiver of the Common Treasure after heaving heard the Board of Auditors.
- Par. 2. — At least half of the Priors and delegates of the Associations present must approve the contribution as set.

Par. 3 — An Association or, where applicable, a Priory or Subpriory, in which a majority of members are in a difficult financial situation, may apply to the Sovereign Council for special arrangements regarding the contribution and the passage fee.

Article 184

Approval and Custody of the Minutes

The minutes of sessions, duly signed by the Chairman, the Secretary and the scrutineers, are submitted to the Chapter General for approval at the end of the meeting. The minutes are deposited in the Magistral Archives.

Article 185

Publication of the Decisions of the Chapter General

The decisions of the Chapter General are published in the *Bollettino Ufficiale*.

CHAPTER XI

THE COUNCIL COMPLETE OF STATE

Article 186

Convocation

The Council Complete of State is convened in accordance with Art. 145.

Article 187

Delegates of the Institutions of the Order

Delegates of the institutions of the Order referred to in Art. 23, par. 2 f), g), h), i) of the Constitution are to be elected in accordance with Art. 176.

Article 188

Presiding Officer and Secretary

Par. 1 — The sessions of the Council Complete of State are presided by the Lieutenant in office or, in case of his absence, by the High Officer next in order, provided he is Professed, or otherwise by the Professed member of the Sovereign Council senior in vows.

Par. 2 — The Grand Chancellor functions as secretary and is assisted by another member appointed by the presiding officer.

Par. 3 — When the Grand Chancellor is impeded, the Council Complete of State is to elect a secretary from among its members by a majority vote of those present.

Article 189
Initial Acts

The norms of Art. 179, par.1 and 2 apply.

Article 190
*Election of the Grand Master
or of the Lieutenant of the Grand Master*

The election of the Grand Master or of the Lieutenant of the Grand Master is by secret ballot, according to the provisions of the Order's law.

Article 191
Consent of the Person Elected

The person elected to the office of Grand Master or of Lieutenant of the Grand Master, having been notified of his election, must signify his acceptance or refusal of the office immediately.

Article 192
Secrecy Regarding the Election

Until the election of the Grand Master or the Lieutenant of the Grand Master has been communicated to the Holy Father, all who have participated in the Council Complete of State are bound to maintain secrecy regarding the result of the election and the proceedings of the Council.

Article 193
Approval and Custody of the Minutes

The minutes of the sessions are to be approved at the end of the meeting and, after being signed by the Chairman, the secretary, and the scrutineers, are to be kept in the secret archives of the Grand Magistracy.

Article 194
Closing of the Council Complete of State

With the oath taken by the Head of the Order, the Council Complete of State is dissolved.

Article 195
Extraordinary Convocation of the Chapter General

An ordinary Chapter General may follow a Council Complete of State whenever the Grand Master elect or Lieutenant elect considers this appropriate.

The convocation of such a Chapter, called with the sending of the agenda, can take place after a reduced interval of sixty days.

CHAPTER XII

VOTING

Article 196

Ballots and Counting of Votes

- Par. 1 — The election of members of the Chapter General, or of the Council Complete of State, or of Priors, Regents and Presidents of Associations, is by secret vote with ballots which must be destroyed immediately after the voting procedure is concluded.
- Par. 2 — For all elections and balloting, the required majority in each case is to be calculated according to the number of persons present who are entitled to vote in the given election or ballot.
- Par. 3 — Blank or spoiled ballots, as well as abstentions, are counted. If a majority vote, therefore, is required for an election or an approval of a proposal or a decision, the candidate is elected, or the proposal or decision approved, only if the number of votes in favour is higher than the number of votes against, including the blank and spoiled ballots as well as abstentions.
- Par. 4 — In case of a tied vote, the balloting is repeated. If a tie results again, the proposal or decision is considered rejected. In the case of elections, the ballot may be repeated until the tie is broken.
- Par. 5 — The members of a Priory, Subpriory or Association who do not reside in the territory of their organization may participate in voting according to their respective statutes.

CHAPTER XIII

THE JURIDICAL COUNCIL

Article 197

Seat, Powers and Meetings

- Par. 1 — The Juridical Council meets at the seat of the Order.
- Par. 2 — On juridical questions and problems of special importance, the Grand Master, having heard the Sovereign Council, requests the opinion of the Juridical Council, which is to make its report in writing.
- Par. 3 — The President or Vice-President and at least three members are required for a valid meeting.
- Par. 4 — The activity of the Juridical Council is governed by regulations approved by the Grand Master, with the advice of the Sovereign Council.

Article 198
Rules of Procedure

- Par. 1 — A *rapporteur*, previously appointed by the President, sets forth the case to be examined. After a collective discussion, the Council decides by a majority of those present. In the case of a tie, the vote of the President decides. The President notifies the Grand Master of the opinion.
- Par. 2 — It is in the power of the President to invite the Advocate General to the meetings to express a consultative opinion on the question being examined.
- Par. 3 — Minutes of each meeting are to be drawn up, signed by the President and the Secretary, and transcribed in a special book.

CHAPTER XIV
COURTS AND JUDICIAL REGULATIONS

Article 199
Composition and Seat of Magistral Courts

- Par. 1 — Magistral Courts are of first instance and of appeal and are composed of a President and two judges.
- Par. 2 — The Courts meet at the seat of the Order.
- Par. 3 — The office of the Courts is administered by a clerk.

Article 200
Disqualification to hear Cases at more than one Level

A judge who has heard a case at one level cannot give a judgment on the same case at a second level.

Article 201
Alternate Judges

The senior judge is to take the place of the President if he is unable to participate. If it is impossible to constitute a college because the President or one or more of the judges is unable to participate, the President of the Appeal Court is to complete the college with alternate judges for that particular case.

Article 202
The Oath

Before assuming their duties, the judges and the clerk of the Courts are to take the following oath before the Grand Master: "I swear to carry out faithfully and diligently the duties of my office and to maintain the secrecy of the office".

Article 203

Age Limit

The age limit for judges is seventy-five years completed. Those who are no longer able to carry out their duties because of certified disability may be released from service by a conciliar decree at any time.

CHAPTER XV

COMPETENCY OF MAGISTRAL COURTS

Article 204

Jurisdiction of Magistral Courts

Par. 1 — Magistral Courts are competent to decide:

- a) on appeals against provisions relating to the necessary proofs for aspirants to the various classes of the Order;
- b) on appeals filed against conciliar decrees regarding investiture into *ius patronatus* Commanderies;
- c) on disputes relating to the administration of *ius patronatus* Commanderies and of foundations;
- d) on labour disputes brought by employees of the Order or by the public bodies of the Order;
- e) on suits between persons as members of the Order, including, on the written request of parties who likewise belong to the Order, disputes concerning disposition of property over which the parties have the right of disposal;
- f) on disputes between the Order and the public bodies of the Order and between the public bodies themselves;

Par. 2 — On the written request of both parties, even if they are not members of the Order, the Court of First Instance can assume the functions of a board of arbiters to settle disputes, according to law or equity, concerning disposition of property over which the parties have the right of disposal. The activities of the Court are to be without charge except for reimbursement of actual expenses. The decision of the arbiters may be appealed before the Magistral Appeal Court for the reasons set forth in Art. 716 et seq. of the Code of Civil Procedure of the Vatican City State, insofar as these are applicable.

Par. 3 — The Magistral Courts, on the written request of States or subjects of international law, can also function as arbitrator in international disputes.

CHAPTER XVI
PROCEDURAL RULES

Article 205
Court Procedure

Except for what has been established in the preceding Articles, procedure in the Magistral Courts is regulated by the norms of the Code of Civil Procedure of the Vatican City State.

CHAPTER XVII
LEGAL REPRESENTATION OF THE ORDER BEFORE THE COURTS OF OTHER STATES

Article 206
Legal Representation of the Order

- Par. 1 — Standing to sue or be sued in the courts of any State pertains to:
- a) the Grand Chancellor on behalf of the Order;
 - b) the titulars of the Grand Priorities, Priorities, Subpriorities and those with title to *ius patronatus* Commanderies on behalf of those entities;
 - c) the person specified in the statutes or regulations for Associations and other bodies of the Order.
- Par. 2 — In cases referred to in par. 1 b) and c) above, legal representation also pertains separately to the Grand Chancellor.

CHAPTER XVIII
THE OFFICE OF ADVOCATE GENERAL

Article 207
Advocates of the Order

Legal assistance is provided by the Office of Advocate General which is made up of independent members of the legal profession of eminent repute who are experts in law and versed in the traditions and customs of the Order.

Article 208
Composition of the Office of the Advocate General

The Office of Advocate General is composed of the Advocate General and two alternates who are appointed by the Grand Master with the Sovereign Council for a period of three years renewable.

Article 209

Assistance by the Office of the Advocate General

The organizations of the Order should seek the advice and the assistance of the Office of the Advocate General whenever necessary and especially in cases which involve complex legal issues.

CHAPTER XIX

DEFENCE COUNSELS

Article 210

Admission of Defence Counsel

Defence counsel may be admitted who meet the requirements stipulated in Art. 125, par. 3.

Article 211

Exclusion and Suspension of Defence Counsel

The President of the Appeal Court may exclude or suspend counsel who, in his judgement, have shown serious deficiencies of a moral or juridical nature.

CHAPTER XX

THE GOODS OF THE ORDER

Article 212

Classification of Goods

Goods of the Order also include those held in the name of Priories, Subpriories and all other organizations of the Order endowed with juridical personality.

Article 213

Contributions of the Institutions of the Order

The Grand Master, with the deliberative vote of the Sovereign Council, establishes the contributions of the Priories.

Article 214

Extraordinary Administration

Par. 1 — No new or increased expense can be authorized without first guaranteeing the corresponding revenue or without determining the means to meet it.

Par. 2 — For acts of extraordinary administration, the advice of the Board of Auditors must be sought.

Article 215

Payment of the Contribution

- Par. 1 — The Pories and Associations are responsible for the payment of the annual contribution from their members as established in Art. 9 par. 4 of the Constitution and Art. 183 of the Code.
- Par. 2 — An Association which has not satisfied its debit to the Grand Magistry before the fifteenth of March of the following year cannot propose the reception of new members or the conferral of the Order's decorations, or be represented at meetings of the Chapter General or the Council Complete of State, until its position has been regularized.

CHAPTER XXI

BOARD OF AUDITORS

Article 216

Duties

The Board of Auditors:

- a) supervises financial administration and the audits of accounts;
- b) oversees income and expenditures;
- c) examines balance sheets;
- d) carries out administrative inspection;
- e) verifies from time to time the accounting and cash balances of the treasury;
- f) supervises the management of the property of the Order and of the *ius patronatus* Commanderies and of other bodies of the Order;
- g) gives advice on any question of an economic character either on its own initiative or on request;
- h) may, from time to time, request from the Grand Magistry trustworthy persons qualified for the investigations which they are required to make.

Article 217

Meetings and Compensation

- Par. 1 — Ordinary meetings of the Board of Auditors are held twice a year and whenever the President considers it necessary. An extraordinary meeting may be held at the request of the Grand Master or the Receiver of the Common Treasure.
- Par. 2 — Members of the Board of Auditors are to be reimbursed for expenses.

Article 218

Minutes of Meetings

Minutes of the meetings of the Board of Auditors are to be approved by its members and signed by the President, with copies sent to the Grand Master and the Receiver of the Common Treasure.

Article 219

Report of the President to the Chapter General

The President is to present to the Chapter General a report on the activity of the Board of Auditors. This report is to contain a precise accounting of the use made of the annual contributions from the members of the Order.

TITLE IV

ORGANIZATION OF THE ORDER

CHAPTER I

JURIDICAL PERSONS

Article 220

Juridical Personality of Entities of the Order

- Par. 1 — Priors, Subpriors and Associations have juridical personality insofar as they are part of the juridical structure of the Order.
- Par. 2 — Other entities, including foundations or Commanderies, may be granted juridical personality by the Grand Master, with the deliberative vote of the Sovereign Council. Such entities are administered either by the Priory or Association where they are located or by the Grand Magistracy itself.

Article 221

Acquisition of Juridical Personality in National Law

The public bodies of the Order may, with the authorization of the Grand Master, acquire juridical personality in the country where they are intended to function in conformity with their statutes.

CHAPTER II

GRAND PRIORIES AND PRIORIES

Article 222

Establishment of Grand Priories and Priories

- Par. 1 — Having heard the advice of the organizations of the Order, and with the deliberative vote of the Sovereign Council and the approval of the Holy See, the Grand Master may proceed to the canonical establishment of a Priory and the determination of its boundaries.
- Par. 2 — At least five Professed Knights are necessary for the constitution of a Priory. They must have canonical domicile within the territory of the Priory that is to be established.

Article 223

Approval of the Statutes of Priories

A Priory is to have its own statutes, approved by the Grand Master, with the deliberative vote of the Sovereign Council.

Article 224

Appointment of the First Prior and Chapter

The Grand Master appoints the first Prior and the members of the Chapter.

Article 225

Duties of the Prior

By his example, the Prior should motivate the practice of the religious virtues and fidelity towards the obligations characteristic of the Order. In addition he must:

- a) make known decrees of the Holy See and of the Grand Master and ensure their observance;
- b) visit at least every three years, personally or by a delegate, the institutions dependent on the Priory;
- c) promote vocations, foster the works of the Order and supervise the efficient running of the Priory.

Article 226

Meetings and Spiritual Exercises of the Priory

- Par. 1 — The Prior is to convene the Chapter for a spiritual meeting and to deal with important matters at least four times a year, or at least once a year if an Association exists in the same territory.
- Par. 2 — A course of spiritual exercises of at least five full days must be held each year for all members in each Priory. The Prior is to set the date and place for them.

Par. 3 — Where an Association does not exist, a general assembly of all the members is to be convened in conformity with the prioral statutes at least once a year.

Article 227

Administrative Report of the Pories

The Prior, or the Lieutenant, the Vicar, or the Procurator, is to make an annual report of the administration to the Grand Master and Sovereign Council.

CHAPTER III

SUBPRIORIES

Article 228

The Chapter

In accordance with its own statutes, the Chapter of a Subpriory is to meet to deal with important matters; it is responsible for the election of the Regent and Councillors in conformity with what is prescribed for Pories.

CHAPTER IV

NATIONAL ASSOCIATIONS

Article 229

Purpose

Under the authority of the Grand Master and the Sovereign Council, the purpose of the Associations of the Order is to implement the objectives of the Order as set out in Art. 2 of the Constitution.

Article 230

Membership

Par. 1 — All members of the Order belong by right to the Association of the territory where they reside. Members are exempt from this rule who already belong to another Priory or Association at the time of their arrival in the territory.

Par. 2 — One who proposes, for justified historical or ethnic reasons, to request admission to a Priory, Subpriory or Association outside the territory where he resides, must obtain the *nihil obstat* from his proper Superior.

Article 231

Conditions for Establishment

Par. 1 — A minimum of fifteen members is required to constitute an Association.

Par. 2 — The Grand Master, with the deliberative vote of the Sovereign Council, has the power to divide or re-arrange Associations and their territories when this may be required for the proper functioning of the activities of the Order.

A new Association may be established within the same territory at the request of at least thirty members and with the consent of the existing Association.

Par. 3 — It pertains to the Grand Master, with the deliberative vote of the Sovereign Council including a two-thirds majority of the Professed Knights, to establish an Association in the territory where a Priory exists.

In this case, the use and usufruct of its entire estate may be enjoyed by the Priory but it is to be administered by the Grand Magistracy as trustee.

CHAPTER V

DELEGATIONS

Article 232

Establishment of a Delegation

The establishment of a Delegation requires approval of its working rules by the Grand Master, with the deliberative vote of the Sovereign Council. In exceptional cases, delegations of one Association may exist in the territory of another with the consent of the Association already existing in that territory.

CHAPTER VI

CHURCHES OF THE ORDER

Article 233

Churches and Oratories

Superiors are to ensure that each organization of the Order has one or more churches or oratories where the members may meet for pious exercises in conformity with its own statutes.

Article 234

Chaplains of Churches and Oratories

Par. 1 — Each church or oratory is to have a chaplain who cares for it and provides religious services there.

Par. 2 — The appointment of chaplains is made at the proposal of the Prelate of the Order, in accordance with Canon Law.

Article 235

Canonical Visitation of Churches and Oratories

Canonical visitation of the churches and oratories pertains to the *Cardinalis Patronus*, in accordance with the Code of Canon Law, either personally or through the Prelate or another cleric.

CHAPTER VII

THE WORKS OF THE ORDER

Article 236

“Obsequium pauperum”

- Par. 1 — In search of a tangible response to the love of Christ, the first members of the Order recognized the Lord and served Him in sick pilgrims in the Holy Land. *Obsequium pauperum* has its origin in the divine compassion for the misery of the world, which obliges the members of the Order to serve Jesus Christ, who is present in the sick.
- Par. 2 — With respect to the other purpose of the Order, *tuitio fidei*, the members of the Order, recognizing the image of God in each individual, are especially called upon to become involved in those situations where human life is threatened in its God-given essence and dignity.
- Par. 3 — Consequently, the Order is the tangible way for its members to fulfill the supreme commandment of love for God and neighbour, to honour God and to grow in holiness in the imitation of Christ and in communion with the Church.
- Par. 4 — The charism of *obsequium pauperum* leads members to encounter the Lord in the sick through personal service. All members are, therefore, called on to practice, personally and regularly, the corporal and spiritual works of mercy.

Article 237

The Organization of “obsequium pauperum”

- Par. 1 — It is the exclusive competency and obligation of Associations to set up works of charitable and social service in their own areas through which the members of the various classes can personally fulfill the mission to which they have committed themselves. In countries where Priors but no Associations exist, this responsibility is undertaken by the Priors. Having heard the Sovereign Council, the Grand Master may issue other provisions to avoid, as far as possible, the duplication of responsibilities in the same area.
- In countries where charitable and social works already exist outside Associations, they will work, within their defined responsibilities, toward establishing a close coordination with the Hospitaller of the respective Association.
- Par. 2 — Hospitallers of Associations, or of Priors where there are no Associations, are responsible for relief efforts. Hospitallers are to carry out their duties in harmony with the Presidents, or with the Priors and Councillors.
- Par. 3 — Relief activities both outside the area of jurisdiction and those arising from agreements between organizations of the Order, are to be undertaken with the approval of the Grand Hospitaller who is responsible for co-ordination, according to Art. 155.
- Par. 4 — Those in charge of the works of the Order must send each year a report to the Grand Magistracy on the status of their operations.
- Par. 5 — The Grand Magistracy initiates works only in exceptional cases.

Article 238

International Co-operation

- Par. 1 — In view of the international responsibilities of the Order, the international co-operation of national Associations is of particular importance so that special works of the Order may be advanced. All the organizations of the Order are obliged to work together within their capacities.
- Par. 2 — The Grand Master, with the deliberative vote of the Sovereign Council, may establish juridical persons within the Order for the administration and promotion of international activities.

Article 239

Sub-Organizations of Associations or Pories for the Execution of Works of the Order

- Par. 1 — Sub-organizations of Associations or Pories are foundations, relief services, legally independent works of the Order and similar organizations established for the implementation of the Order's works.
- Par. 2 — Such sub-organizations may be set up by Associations, or Pories, provided the following requirements are observed in their statutes:
- a) The statutes of a sub-organization cannot become effective before they have been approved by the competent entity of the Order. The same applies to any changes to the statutes;
 - b) The sub-organization must make a report of its activities to the competent entity of the Order;
 - c) The President (or head) of a sub-organization, who is to be a member of the Order, cannot assume office without the authorization of the competent entity of the Order;
 - d) A sub-organization can use the insignia of the Order, or the name of the Order, or claim a link with the Order, only with the authorization of the sponsoring entity of the Order, which also has the power to revoke the authorization. Whenever these minimum requirements cannot be entirely incorporated into the statutes, as a result of national legislation, their observance must be assured by other means according to circumstances.
- Par. 3 — The statutes and proposed amendments must be submitted to the Grand Magistry for its information before they become effective.
- Par. 4 — Institutions and activities which Associations or Pories or sub-organizations of the Order merely assist, but do not manage directly or own, may not use the insignia or name of the Order, without the explicit indication that the institution or activity is simply supported by the Order which assumes no responsibility for it.

CHAPTER VIII
COMMUNICATIONS

Article 240
Communications Board

- Par. 1 — The Communications Board supervises the internal and external communication activities of the Order and assists the Grand Chancellor and the Secretary for Communications in development and implementation of efficient communication programmes.
- Par. 2 — The Communications Board is composed of a President and six Councillors, chosen from members of the Order, competent in various sectors of communications, management, public relations and mass media. Selected to assure reasonable geographical representation, the members of the Board are appointed by decree of the Grand Master, with the deliberative vote of the Sovereign Council, for a period of two years renewable.

Article 241
Duties and Meetings of the Communications Board

- Par. 1 — The Communications Board advises the Grand Magistracy on matters concerning the flow of information, relations with the mass media, public relations, emblems and logos, as well as the organization of the Communications Office, including costs and budgets, personnel and equipment.
- Par. 2 — An annual report is to be presented to the Grand Master and the Sovereign Council and to the Chairman of the Chapter General when it is convened. A special report on the activities is also to be presented by the President to the Chapter General.
- Par. 3 — The Communications Board is to meet at least twice a year or when the President or the Grand Chancellor consider it necessary.
The members are to be reimbursed for expenses.

CHAPTER IX
EMBLEMS

Article 242
The Emblem for Works of the Oter

The emblem for hospitaller activities of organizations of the Order consists of the eight-pointed white cross on a red shield, in conformity with the illustration contained in the special regulations.

signed:
Carlo Marullo di Condojanni
Grand Chancellor

signed:
Fra' Andrew Bertie