

AUSTRALIAN CATHOLIC BISHOPS CONFERENCE

FIFTH PLENARY COUNCIL OF AUSTRALIA

**STATUTES
AND
REGULATORY NORMS**

(Can. 94 and Can. 95)



CHAPTER ONE

NATURE AND PURPOSE, CONVOCATION, CONDUCT AND COMPOSITION

Article 1: Nature and Purpose

The Fifth Plenary Council of Australia aims to bring to fuller realization within Australia the vision of the Second Vatican Council regarding the nature and mission of the church. According to the Dogmatic Constitution on the Church, *Lumen Gentium*, the church is a “mystery,” which, in the world, is present “like a sacrament—a sign and instrument, that is, of communion with God and of the unity of the whole human race” (LG 1). Grounded in and modelled on the divine Trinitarian *communio*, the church is, at once, a *communio fidelium*, a *communio ecclesiarum*, and a *communio hierarchica*. That is, the church (as the People of God the Father, the Body of Christ the Son, and the Temple of the Holy Spirit) is called to be: a *communio* of all faithful believers in the God of Jesus Christ; a universal *communio* of the local churches where the faithful of a particular geographical area strive to live out the Gospel; and a *communio* of the bishops of those local churches who are in communion with all other local bishops in the world and in communion with the bishop of Rome. According to these three senses of ecclesial communion, the Plenary Council in Australia seeks to be a dialogue in communion of the Catholic faithful from the various dioceses and eparchies in Australia with their bishops. Since the universal church is broader than the church in Australia, the Plenary Council seeks to serve the universal church by bringing to light the perspective of the People of God in Australia regarding the urgent issues of proclaiming the Gospel in this region, within its particular historical and cultural context. Thus the Plenary Council seeks to gather the People of God in Australia in a process of listening and dialogue in order to discern the providential guidance of the Holy Spirit concerning the mission of the church in Australia in the 21st century.

This vision is guided by the vision of the Second Vatican Council. Three particular teachings of the Second Vatican Council guide the hopes of the churches in Australia regarding the Plenary Council: first, the assurance that it is the *Holy Spirit* who guides the church through time to respond to the ever-new challenges of history; second, the notion that all of the faithful are called to a *participation* in the life and mission of the church, because all the baptised participate in the three offices of Christ as Prophet, Priest, and King (LG, Chapter 2); and, consequently, third, the inner life of the church should be characterised by *dialogue*, since the Holy Spirit speaks through all in the church through the gift to all believers, and the church as a whole, of a supernatural *sensus fidei* (sense for the faith) given to the whole people (LG 12). These three conciliar teachings (on the Holy Spirit, on participation, and on dialogue) ground the hopes for the Plenary Council of the churches and eparchies of Australia and their bishops.

Firstly, throughout history the *Holy Spirit* reveals to the church the will of God in the face of the vicissitudes of history at a particular time. The Dogmatic Constitution on Divine

Revelation, *Dei Verbum* teaches: “Thus God, who spoke in the past, continues to converse with the spouse of his beloved Son. And the Holy Spirit, through whom the living voice of the Gospel rings out in the church—and through it in the world—leads believers to the full truth and makes the word of Christ dwell in them in all its richness (see Col 3:16)” (DV 8). Pope Francis has constantly reiterated this need to listen to the Holy Spirit, as the Second Vatican Council urged. In his Apostolic Exhortation, *Evangelii Gaudium* and other writings, he regularly cites the seven-fold reference in the Book of Revelation: “Listen to what the Spirit is saying to the churches” (Rev 2:7). Accordingly, the Australian bishops’ choice of a theme for the Plenary Council has been that biblical call: “Listen to what the Spirit is saying”.

Secondly, the council taught the *participation* of all the faithful, not just the hierarchy, in the three offices of Christ as Prophet, Priest, and King: the prophetic office (preaching and teaching); the sanctifying office (prayer and worship); the governing office (governance). “All the faithful, that is, who by baptism are incorporated in Christ, are constituted the People of God, who have been made sharers in their own way in the priestly, prophetic and kingly office of Christ and play their part in carrying out the mission of the whole Christian people in the church and in the world” (LG 31).

Thirdly, the call for a Plenary Council is inspired by the Second Vatican Council’s leitmotif of *dialogue*. At the conclusion of the council’s second constitution on the church, the Pastoral Constitution on the Church in the Modern World, *Gaudium et Spes*, the council calls for dialogue, not only with other Christians, adherents of other religions, and with non-believers, but also within the church itself: “In virtue of its mission to enlighten the whole world with the message of the Gospel and to gather together in one spirit all women and men of every nation, race and culture, the church shows itself as a sign of that amity which renders possible sincere dialogue and strengthens it. Such a mission requires us first of all to create in the church itself mutual esteem, reverence and harmony, and to acknowledge all legitimate diversity; in this way all who constitute the one People of God will be able to engage in ever more fruitful dialogue (*colloquium*), whether they are pastors or other members of the faithful. For the ties which unite the faithful together are stronger than those which separate them: let there be unity in what is necessary, freedom in what is doubtful, and charity in everything” (GS 92).

With his conception of “a listening church, a synodal church”, captured in the notion of “synodality”, Pope Francis brings together the three conciliar emphases on the Holy Spirit, the participation of the faithful in the life and mission of the church, and the need for dialogue between all the faithful.

Other conciliar and post-conciliar documents also highlight these points. In the Second Vatican Council Decree Concerning the Pastoral Office of Bishops in the Church, *Christus Dominus*, the Council Fathers set forth their earnest desire “that the venerable institution of synods and councils flourish with fresh vigour”:

From the very first centuries of the Church bishops, as rulers of individual churches, were deeply moved by the communion of fraternal charity and zeal for the universal

mission entrusted to the Apostles. And so they pooled their abilities and their wills for the common good and for the welfare of the individual churches. Thus came into being synods, provincial councils and plenary councils in which bishops established for various churches the way to be followed in teaching the truths of faith and ordering ecclesiastical discipline (*CD 36*).

The Congregation for Bishops reiterated this desire in its Directory for the Pastoral Ministry of Bishops, *Apostolorum Successores*, issued on 22 February 2004:

“From the earliest ages of the Church, Bishops in charge of particular Churches... [established]... synods, provincial councils and, finally, plenary councils... in which the Bishops determined on a common programme to be followed in various churches both for teaching the truths of the faith and for regulating ecclesiastical discipline” (*AS 24*).

The same Directory further enunciated the nature of provincial and plenary councils:

Particular councils are assemblies of Bishops, in which other ministers and lay faithful may participate with a consultative vote, intended to provide for the pastoral needs of the People of God in a particular territory, adopting appropriate measures for the increase of the faith, for the organisation of common pastoral action, for the regulation of morals and for the safeguarding of ecclesiastical discipline.

Particular councils can be *provincial*, if the territory concerned corresponds to an ecclesiastical province, or *plenary*, if it involves all the particular Churches of an Episcopal Conference. In the case of a plenary council (or a provincial council when the province is coterminous with the territory of a nation), it is necessary to obtain the *approval of the Apostolic See* before proceeding. Before granting approval, the Apostolic See needs to know the precise motive for convoking the council and also the topics or subjects to be discussed (*AS 25*).

In this, the Directory is referencing the Code of Canon Law, promulgated by John Paul II on 25 January 1983, which provides that:

A particular council is to ensure that the pastoral needs of the people of God in its territory are provided for. While it must always respect the universal law of the Church, it has power of governance, especially legislative power. It can, therefore, determine whatever seems opportune for an increase of faith, for the ordering of common pastoral action, for the direction of morals and for the preservation, introduction and defence of a common ecclesiastical discipline (*Can. 445*).

Here is set forth the fundamental purpose of a plenary council, namely, to determine:

first, what seems opportune for an increase of faith;

second, for the ordering of common pastoral action; and

third, for the direction of morals and for the preservation, introduction, and defence of a common ecclesiastical discipline.

Article 2: Convocation

The Australian Catholic Bishops Conference shall convoke the Plenary Council by a decree that shall be issued by the Conference (Can. 441).

Prior to issuing the decree, the Conference shall have approved the *Instrumentum Laboris* (working paper), the Agenda, and the Statutes and Regulatory Norms for the Plenary Council.

Article 3: Conduct

The preparation, celebration and implementation of the Plenary Council shall be informed by the teaching of Pope Francis on the occasion of the 50th anniversary of the institution of the Synod of Bishops:

A synodal Church is a Church which listens, which realises that listening “is more than simply hearing”. It is a mutual listening in which everyone has something to learn. The faithful people, the college of bishops, the Bishop of Rome: all listening to each other, and all listening to the Holy Spirit, the “Spirit of truth” (Jn 14:17), in order to know what he “says to the Churches” (Rev 2:7).

And later, identifying the manifestations of a synodal Church:

The second level [of the exercise of synodality] is that of Ecclesiastical Provinces and Ecclesiastical Regions, Particular Councils and, in a special way, Conferences of Bishops. We need to reflect on how better to bring about, through these bodies, intermediary instances of collegiality, perhaps by integrating and updating certain aspects of the ancient ecclesiastical organisation (Address of Pope Francis, 17 October 2015).

In the Plenary Council, the synodality of the Church unites with the collegiality of the bishops in mutual processes of listening, dialogue and discernment, as to what seems opportune for the increase of the faith, the organisation of common pastoral action, and the regulation of morals and of the common ecclesiastical discipline which is to be observed, promoted, and protected.

To oversee and direct the preparation for and celebration of the Plenary Council, the Australian Catholic Bishops Conference shall establish an episcopal commission of five bishops; the President of the Bishops Conference may be invited to all meetings of the episcopal commission.

To advise the episcopal commission, the Bishops Conference shall establish an executive committee comprised of clerics, religious and lay faithful with competence variously in doctrine, ecclesiology, canon law, diocesan structures and works, pastoral ministry and discernment.

To implement the decisions of the episcopal commission, the Bishops Conference may appoint facilitators skilled in processes of participation, engagement and consultation.

The Bishops Conference may also authorise the appointment of persons and agencies with particular competencies, and committees with particular responsibilities, to provide specialist advice or services, or undertake specified tasks in preparation for the Plenary Council.

The conduct of the Plenary Council shall be organised in three stages:

i) Preparation

The preparatory stage shall be guided by the teaching of Pope Francis that:

The history of the Church bears ample witness to the importance of consultation for ascertaining the views of the Bishops and the faithful in matters pertaining to the good of the Church (*Episcopalis Communio* 7).

The processes of preparation shall be organised to consult with the Bishops and the faithful of the Church in Australia and, where beneficial, the wider Australian public. The processes shall include prayer, listening, dialogue, analysis, discernment and synthesis, in accordance with methods of pastoral research and practices of discernment drawn from Catholic tradition.

Throughout the preparatory stage, the fruits of these processes shall at each stage be reported, thereby enabling ongoing consultation to inform the development of the *Instrumentum Laboris* and of the agenda for the Plenary Council.

ii) Celebration

The Plenary Council shall be celebrated in two general assemblies. The first general assembly shall be held 3 - 10 October 2021. The second general assembly shall be held 4 - 9 July 2022.

Due to coronavirus pandemic restrictions affecting travel and assembly, the first general assembly shall be conducted via videoconferencing technology with, to the extent possible at the time, assembly in small diocesan, inter-diocesan or provincial groups. The second general assembly shall take place in the Archdiocese of Sydney; however, the Australian Catholic Bishops Conference may determine that it be conducted in the manner of the first general assembly if coronavirus pandemic restrictions persist.

Between the two general assemblies, further consultation, research, and discernment may be undertaken as may be beneficial.

iii) Implementation

Upon confirmation that the Apostolic See has received the acts of the Plenary Council and has reviewed the decrees, the Bishops Conference shall promulgate the decrees in accordance with the decision of the Plenary Council. (Can. 446)

In promulgating the decrees, the Bishops Conference shall also announce the means by which the decrees are to be implemented. To this end, the Bishops Conference shall seek the advice of its episcopal commissions and councils, of persons with particular experience or competence in the areas of Church life and

mission affected by the decrees, and of the Church entities that shall have responsibility for enacting the decrees.

In the local churches, the primary responsibility for implementation of the decrees of the Plenary Council shall be with the local bishop, unless the decree itself stipulates otherwise.

Article 4: Called to the Fifth Plenary Council of Australia

The following persons are called to the Plenary Council:

With a right to a deliberative vote (Can. 443 §1 - §2),

All diocesan bishops in Australia;

All coadjutor and auxiliary bishops in Australia;

The Ordinary of the Military Ordinariate;

The Ordinary of the Personal Ordinariate of Our Lady of the Southern Cross;

The Ordinary of the Personal Prelature of Opus Dei; and

Not more than four emeritus bishops of Australian dioceses, elected by the Bishops Conference.

With a right to a consultative vote (Can. 443 §3 - §4),

All vicars general in Australia;

All episcopal vicars in Australia;

Not more than 45 (forty-five) major superiors of religious institutes and societies of apostolic life, elected respectively by all the major superiors of the institutes and societies which have a seat in Australia;

Not more than 10 (ten) rectors of ecclesiastical and Catholic universities and deans of faculties of theology and of canon law, being all such rectors and deans in Australia;

Not more than 9 (nine) rectors of major seminaries, being all the rectors in Australia; and

Not more than 88 (eighty-eight) presbyters and other members of the Christian faithful, among whom shall be included all bishops-elect, apostolic administrators and diocesan administrators at the time of the Plenary Council.

With a right to a consultative vote (dispensation from Can. 443 §4 granted by the Holy Father, Congregation for Bishops, 27 March 2020, Prot. No. 849/2017),

Not more than 44 (forty-four) additional presbyters and other members of the Christian faithful.

As guests, without any right to a vote (Can. 443 §6),

Observers from other episcopal conferences;

observers from other ecclesial communities;

observers from Catholic organisations; and

theological advisors and consultants.

CHAPTER TWO

OFFICERS AND ENTITIES OF THE PLENARY COUNCIL

Article 5: Plenary Assembly

The plenary assembly is comprised of all Plenary Council members who are duly acknowledged as such during the opening session (Can. 443 §1 - §4).

Article 6: President of the Plenary Council

The President of the Plenary Council shall be a diocesan bishop elected by the Australian Catholic Bishops Conference. He is confirmed in that office by the Supreme Pontiff (Can. 441, 3°).

The President presides over the entire proceedings of the Plenary Council. He presides personally over the opening of the Plenary Council, the adjournment and resumption of the two general assemblies, and the closing of the Plenary Council.

The President may intervene during sittings of the plenary assembly if doing so appears necessary or useful.

If the President is unable to attend any sitting of the plenary assembly, his office shall be exercised by the Vice President.

Article 7: Vice President of the Plenary Council

The Vice President of the Plenary Council shall be a diocesan bishop elected by the Australian Catholic Bishops Conference.

The Vice President shall act in the place of the President whenever necessary.

Article 8: Secretary of the Plenary Council

The Secretary of the Plenary Council shall be elected by the Australian Catholic Bishops Conference.

The Secretary shall have responsibility for all of the documentation of the Plenary Council, including its Acts, Decrees and archival records. The Secretary shall assist the chairpersons in fulfilling their responsibilities and shall direct the work of the secretariat staff.

Article 9: Secretariat

The secretariat shall be comprised of the Secretary and several recorders and assistants who shall support the work of the Plenary Council by taking a record of its deliberations, preparing minutes, receiving written resolutions and submissions, and assembling the Acts.

Article 10: Chairpersons of the Plenary Assembly

The chairpersons of the Plenary Council shall be proposed from among the members of the Council by the Bishops Commission for the Plenary Council, and confirmed by the Australian Catholic Bishops Conference. Those elected shall include laity, religious and clerics. There shall be no fewer than five and no more than eight chairpersons.

In each session of the Plenary Council, the chairperson directs and moderates all discussions and interventions. The chairperson ensures that the rules of procedure and process are observed and resolves any procedural or process problems that might arise during a sitting. If challenged, a chairperson's decisions are subject to confirmation by the President.

If a chairperson wishes to participate in the discussion of a particular matter, another chairperson must temporarily direct and moderate that part of the discussion.

Article 11: Canonical Committee

The Canonical Committee of the Plenary Council shall be proposed by the Bishops Commission for the Plenary Council, and confirmed by the Australian Catholic Bishops Conference. It shall have no more than five members, who are experts in canon law, at least two of whom are bishops. It may include canonists who are not members of the Plenary Council. One of the bishop members shall be appointed by the Bishops Conference to chair the Committee.

The Canonical Committee is to be consulted whenever a question of the interpretation of the law of the Church arises. It is to advise on any resolution that has canonical implications or outcomes that are binding. It may freely raise concerns pertaining to the work of the Plenary Council in relation to the law of the Church.

The Canonical Committee shall be consulted by the President of the Plenary Council in matters pertaining to the interpretation of these Statutes and Regulatory Norms.

Article 12: Drafting Committee

The Drafting Committee of the Plenary Council shall be proposed by the Bishops Commission for the Plenary Council, and confirmed by the Australian Catholic Bishops Conference. It shall have no more than five members, at least two of whom are bishops. It may include theological advisors and consultants who are not members of the Plenary Council. One of the members shall be appointed by the Bishops Conference to chair the Committee.

The Drafting Committee is responsible for preparing the resolutions for consultative or deliberative vote, preparing new papers and amending papers already prepared as may be required, and reviewing other documents as may be referred by the plenary assembly or the President of the Plenary Council.

Article 13: Scrutineers

Eight Scrutineers from among the members of the Plenary Council shall be appointed by the Bishops Commission for the Plenary Council, which will also nominate one of these Scrutineers to oversee their role during plenary assembly sessions.

This shall include the management of any digital form of voting, distribution and collection of voting papers, counting of votes, reading of results to the plenary assembly, and destruction of all voting papers following the conclusion of a vote.

The Scrutineers are also the official counters of any other form of vote taken during a plenary assembly.

With the President, the Scrutineers are to confirm in writing the results of all votes taken during a plenary assembly.

Article 14: Steering Committee

A Steering Committee, with the President and the Secretary of the Plenary Council *ex officio* members, shall be nominated by the Bishops Commission for the Plenary Council and confirmed by the Australian Catholic Bishops Conference. The appointment of one of the members to chair the Steering Committee shall be made in the same manner.

Having received from the Bishops Conference the agenda for the Plenary Council, the Steering Committee shall prepare the program for the two general assemblies of the Plenary Council. This shall include managing the agenda throughout each of the general assemblies, ordering the agenda for each plenary assembly session, choosing the chairperson for each session, and receiving from the Secretary any relevant papers.

The Steering Committee shall meet at least once daily during the two sessions of the Plenary Council. It shall invite to these meetings the chairpersons chosen for the plenary assembly sessions of the following day, along with other officers or members of the Plenary Council, and others who may be called upon for their expertise to assist the work of the Plenary Council.

Article 15: Facilitators

Facilitators may be invited to assist in the work of the Plenary Council. They are nominated by the Bishops Commission for the Plenary Council and confirmed by the Australian Catholic Bishops Conference.

Article 16: Support

The Plenary Council is supported by experts or committees, appointed by the Australian Catholic Bishops Conference, who shall exercise responsibility for:

Liturgy

Media and Communications

Logistics

CHAPTER THREE

WORK OF THE PLENARY COUNCIL

Article 17: Opening of the Plenary Council (Can. 441, 4^o; Ceremonial of Bishops, Part VIII, Chapter 1, §1169 – §1173)

The First General Assembly of the Plenary Council shall begin with the celebration of a votive Mass of the Holy Spirit. During the Mass, the *Veni Creator* or similar hymn to the Holy Spirit shall be sung, the members together shall make the Profession of Faith, and immediately after blessing and dismissal, the prayer ‘We stand before you, Holy Spirit’ is prayed by all. The President shall be the principal celebrant of the Mass.

The same shall apply when the Plenary Council resumes for the Second General Assembly.

Article 18: Recognition of Membership

At the time of the votive Mass of the Holy Spirit, all who have been called to the Plenary Council shall present themselves to the President and shall take the oath. Guests who have been invited to attend shall also present themselves in similar manner.

In the opening session, the President shall present the list of members of the Plenary Council and their titles for the scrutiny of the plenary assembly. He shall also name those members who have informed him that they are prevented by a just impediment from attending (Can. 444 §1).

The Secretary shall record the names and titles of those present and the names of those prevented from attending.

The members of the Plenary Council shall show their consent.

Article 19: Recognition of Officers

In the opening session, the President shall present the lists of those named by the Australian Catholic Bishops Conference to the following functions:

- i) Vice President
- ii) Secretary and recorders
- iii) Chairpersons
- iv) Canonical Committee
- v) Drafting Committee
- vi) Scrutineers
- vii) Steering Committee
- viii) Facilitators
- ix) Liturgy Committee
- x) Media and Communications Committee
- xi) Logistics Committee

Article 20: Timetable and Agenda

In the opening session, the President shall present the agenda and timetable for the Plenary Council.

The members of the Plenary Council shall show their consent by applause.

Article 21: Statutes and Regulatory Norms

The Statutes and Regulatory Norms of the Fifth Plenary Council for Australia shall be approved by the Australian Catholic Bishops Conference.

In the opening session of the Plenary Council, the President shall present the Statutes and Regulatory Norms for the Plenary Council.

The members of the Plenary Council shall show their consent by applause.

Article 22: Plenary Assembly

The plenary assembly may adopt procedures and processes that assist it in dealing with the agenda.

In sessions of the plenary assembly, the following Regulatory Norms shall be observed:

i) Quorum

A quorum of two thirds of the members with deliberative voice and two thirds of members with consultative voice, must be present in order that the plenary assembly conduct its business.

ii) Agenda

The particular agenda for each session of the plenary assembly shall be prepared by the Steering Committee and presented to the members of the Plenary Council at the first session each day for their consent.

iii) Minutes

The minutes of each session of the plenary assembly shall be distributed, normally electronically, prior to the commencement of the first session of the next day.

The minutes shall contain a precise and objective summary of plenary assembly proceedings, resolutions proposed, the official result of all voting, and a brief summary of the interventions.

The members of the Plenary Council shall make known to the plenary assembly any change they propose be made to the minutes as published and, following the acceptance or rejection of the changes, the minutes are to be approved by the plenary assembly.

iv) *Discussion*

Members of the Plenary Council take the floor when recognised by the chairperson of the session. In making interventions, members will be recognised in the order in which they indicated their intention of speaking in writing to the Secretary of the Council prior to the session, or to the chairperson during the session.

All interventions shall be in reference to the matter under consideration and shall not exceed three minutes.

A member may not speak to the same matter more than once, except in explanation, unless he or she is the mover of a motion exercising a right of reply. The chairperson may for a just reason waive this regulation.

Members will normally not reiterate what another speaker has already spoken about, though a member may request the chairperson to consult the plenary assembly as to the agreement of members on a view that has been stated.

v) *Small working groups*

Some of the work of the Plenary Council may be undertaken by small working groups, which serve to heighten opportunity for participation.

Normally each small working group will nominate a member to speak on behalf of the group when reporting to the plenary assembly. This may be by way of a summary of the group's discussion, certain insights that the group decides should be conveyed, or conclusions reached by the group.

vi) *Facilitated processes*

Some of the work of the Plenary Council may be undertaken with the guidance of a facilitated process. Where this occurs, the facilitator will first outline the foundations and methods of the process to be used. Facilitated processes may assist the discernment of a particular matter but voting on the outcome of such processes must always take place separate from the process.

Article 23: Resolutions and Amendments to Resolutions

i) *Motions*

All resolutions to the plenary assembly shall be in the form of motions.

ii) *Preparation of motions*

All motions should be prepared by the Drafting Committee and be provided in writing to the Secretary prior to the session in which the resolution is to be considered. All amendments to motions should, whenever possible, also be provided in writing to the Secretary.

iii) *Proposal and amendment of motions*

All motions and amendments to motions, except for adjournment of a given session, are to be moved and seconded. A motion or amendment to a motion lapses if it is not seconded.

A motion or amendment to a motion may be seconded, so as to allow discussion to occur, without the seconder supporting or voting for the resolution.

As soon as a motion or amendment to a motion has been moved and before it is seconded and discussed, the mover may briefly explain the motion and answer any question seeking clarification.

Any amendment to a motion must be relevant to the motion, further form or refine it, and not alter its general intent nor negate it.

iv) *Withdrawal of motions*

A motion or amendment to a motion which has been moved and seconded may be withdrawn with the consent of the mover, the seconder and the chairperson of that session. The same or a similar motion may be proposed in a later session.

Article 24: Particular Motions

i) *A motion to adjourn*

A motion to adjourn the session may be invoked by the President and takes precedence over all others. It does not require a seconder. It is not amendable or debatable. It need not be presented in writing. A deliberative vote must be made immediately. A simple majority is sufficient.

ii) *A point of order or question of privilege*

A point of order or question of privilege is a clarification of the Regulations called for by a member of the Plenary Council. It does not require a seconder. Once the matter is presented by the member, it is resolved by the chairperson without amendment, debate or vote. The chairperson may consult the President and Canonical Committee before responding to a point of order or question of privilege.

iii) *A motion to appeal the decision of the chairperson*

A motion to appeal the decision of the chairperson is any motion calling for the reversal of a decision of the chairperson of the session. Where the decision being appealed is provided for in the Regulations, the Canonical Committee shall determine the decision on the appeal. Where the decision being appealed is not provided for in the Regulations, the President shall determine the decision on the appeal.

iv) *A motion to end debate and proceed to a vote*

A motion to end debate and proceed to a vote, that is, to effect closure of discussion, must be seconded but is neither amendable nor debatable. A deliberative vote must be made immediately. A majority of two thirds is required.

v) *A motion to postpone or suspend discussion*

A motion to postpone or suspend discussion must be seconded but is neither amendable nor debatable. A deliberative vote must be made immediately. A simple majority is sufficient.

vi) *A motion to reconsider a vote already taken*

A motion to reconsider a vote already taken in the plenary assembly must be presented, signed by the mover and at least half the members of the Plenary Council, along with the reasons for reconsideration, to the Secretary. The motion is placed on the Agenda by the Steering Committee. It is neither amendable nor debatable. A deliberative vote must be made. A majority of two thirds is required.

Article 25: Other Motions

All other motions are to be seconded before being considered by the plenary assembly. Other motions are debatable and are subject to amendment.

Once an amendment to a motion is moved and seconded, it is discussed and voted upon before discussion of the original motion or of any subsequent amendments may continue. Amendments to an amendment are treated in the same manner as amendments to a motion. Once all amendments have been discussed and voted upon and passed, the original motion as amended will stand and discussion will be closed.

If an amendment is unsuccessful, the discussion will return to the original motion.

Article 26: Decrees

The plenary assembly shall define the manner of promulgation of decrees and the time when the promulgated decrees begin to oblige. Decrees may not be promulgated until the Apostolic See has reviewed them (Can. 446).

Article 27: Voting

i) *Methods of voting*

Voting will be via a secure electronic system or individual paper ballot which shall record the vote of each member of the Plenary Council as assent (*placet*), qualified assent (*placet juxta modum*) or dissent (*non placet*). An electronic system or scrutineers shall count the number of votes, identifying those that are invalid or abstention, and tally the votes received. The electronic system or scrutineers shall not reveal the vote of any member.

In matters where a canonical vote is not required or in which there is no indication of opposition to the motion, the chairperson may without any vote declare the motion “unanimously approved”. However, if any member objects to this, a vote must be held.

Where it is evident that a series of related motions pertaining to the same matter has the support of members, a motion may be moved that all of these motions be approved by a single vote. However, if any member requests that each motion be voted upon separately, the chairperson shall accede to this request.

Normally, a consultative vote takes place prior to a deliberative vote, though the former is not binding.

ii) *Definitions of Majority*

Subject to the presence of a quorum of two thirds of those entitled to vote in each of a consultative vote and a deliberative vote,

a simple majority is attained when the number of valid votes received equals more than half of the voters present. The count for a simple majority will exclude invalid votes and abstentions.

a qualified majority is attained when the number of valid votes received equals two thirds or more of the voters present. The count for a qualified majority will exclude invalid votes and abstentions.

iii) *Prayer before voting*

In matters concerning the essential purpose of particular councils, namely those set forth in Article 1 of these Statutes and Regulatory Norms, a period of silent prayer shall be observed after the motion has been discussed and prior to a vote being taken. It shall be for the Steering Committee to indicate the desired duration of the period of prayer.

iv) *Consultative Vote*

All members called to the Plenary Council who are not bishops, or and are not those mentioned in Article 4, have the right of a consultative vote (Can. 443 §3, 1° - 4°, §4).

Bishops and those mentioned in Article 4 do not have the right to a consultative vote.

Guests invited to the Plenary Council, whether to provide advice or as observers, do not have the right to a consultative vote nor a deliberative vote (Can. 443 §6).

v) *Deliberative Vote*

Bishops called to the Plenary Council and those mentioned in Article 4, have the right of a deliberative vote (Can. 443 §1, 1°- 3°; §2, Can. 450, 1°).

In matters concerning the essential purpose of particular councils, namely those set forth in Article 1 of these Statutes and Regulatory Norms, a deliberative vote will not be taken in the same session as a consultative vote.

A qualified majority is required for a motion to succeed.

Article 28: Adjourning the Plenary Council

At the conclusion of the First General Assembly, the President shall announce the adjournment of the Plenary Council, at the same time summoning members to resume for the Second General Assembly of the Plenary Council at the prescribed date and in the selected place (Can. 441, 4°).

Article 29: Closing the Plenary Council (Canon 441, 4°; Ceremonial of Bishops, Part VIII, Chapter 1, §1175)

When the work of the Plenary Council is completed, that is, at the conclusion of the Second General Assembly, a motion to close the Plenary Council should be moved. The required consultative and deliberative votes should follow, with the latter requiring a simple majority. If the deliberative vote is unsuccessful, the President shall move that the Plenary Council adjourn *sine die*, that is, with no date fixed for resumption.

The closing of the Plenary Council is performed by the President on the day indicated in the motion or, if no date is fixed in the motion, on the day appointed by the Steering Committee.

In the last session of the Plenary Council, the bishop members sign the Acts of the Plenary Council. The final version of the Acts of the Plenary Council are to be approved by the Australian Catholic Bishops Conference at a plenary meeting held within one year of the closing of the Plenary Council and shall then be sent to the Apostolic See for review. The Decrees issued by the Plenary Council may be promulgated only after the Apostolic See has granted the *recognitio* (Can. 446).

The Plenary Council concludes with the celebration of Mass, at which the *Te Deum* is sung before the prayer after communion.

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