

Memorandum

June 3, 2021

FROM: John Mark Keyes, Chair, St. Joseph's Parish Finance Committee

TO: Donna Rietschlin, Chair, St. Joseph's Parish Pastoral Council

RE: Proposed revision of Parish Finance Committee Terms of Reference

Introduction

The Parish Finance Committee (PFC) has proposed a revision of its terms of reference (ToRs). This revision has been accepted by the Pastoral Parish Council. The revised ToRs are now being presented for information and comment at the Annual General Meeting of the Parish. They must ultimately be approved by the Pastor.

This memorandum outlines the reasons for the revision and describes its main features. Copies of both the existing ToRs and the revision are available.

There are three main reasons for revising the ToRs:

1. To align them with Canon Law;
2. To fill gaps in them; and
3. To improve their intelligibility.

Alignment with Canon Law

In preparing the revision, the PFC obtained advice from Monsignor John Renken (Dean of Canon Law at St Paul's University).

The existing ToRs do not reflect the structure of parish governance bodies established in Canon Law. The PFC is described as a subcommittee of the Parish Pastoral Council (PPC) and reports to it. However, Canons 536 and 537 provide for the establishment of two independent councils:

Can. 536 §1. If the diocesan bishop judges it opportune after he has heard the presbyteral council, a **pastoral council** is to be established in each parish, over which the pastor presides and in which the Christian faithful, together with those who share in pastoral care by virtue of their office in the parish, assist in fostering pastoral activity.

§2. A pastoral council possesses a consultative vote only and is **governed by the norms established by the diocesan bishop**.

Can. 537 In each parish there is to be a **finance council** which is **governed, in addition to universal law, by norms issued by the diocesan bishop** and in which the Christian faithful, **selected according to these same norms**, are to assist the pastor in the administration of the goods of the parish, without prejudice to the prescript of can. 532. [*emphasis added*]

Although St. Joseph's is generally referred to as an Oblate Parish, this reflects the fact that the church property is owned by the Oblate Order and its pastor is an Oblate. The parish itself (the community of parishioners) is a parish of the Archdiocese of Ottawa-Cornwall and, as Canons 536 and 537 indicate, subject to the norms established by the Archbishop. This requires the terms of reference for the PFC,

and other parish governance documents relating to its composition and functions, to be aligned with the relevant diocesan norms. These include the [Protocol for Parish Financial Administration](#), issued by the Archbishop on December 20, 2011.

Canon 532 provides that the pastor represents the parish in all “juridic affairs” (temporal matters such as entering into contracts, dealing with property and managing money):

Can. 532 In all juridic affairs the pastor represents the parish according to the norm of law. He is to take care that the goods of the parish are administered according to the norm of cann. 1281-1288.

The roles of the pastor as “administrator” and the finance council are further described in Canon 1280:

Can. 1280 Each juridic person is to have its own finance council or at least two counsellors who, according to the norm of the statutes, are to assist the administrator in fulfilling his or her function.

Canons 1281-1288, in turn, set out administrative norms.

To reflect these elements of Canon Law, the revision would:

1. Change the name of the PFC to “Parish Finance *Council*”.
2. Recognize its advisory role and reporting relationship to the Pastor.
3. Recognize that it functions in the spirit of collaborative leadership and shares in the [pastoral mission](#) and activities of St. Joseph's Parish by supporting decisions of the PPC that entail financial or temporal considerations related to the pastoral life of the Parish.
4. Provide for the appointment of its members by the Pastor on the recommendation of the PFC and in consultation with the PPC.

Filling Gaps

The existing existing ToRs do not address two important aspects of membership on the PFC:

- Confidentiality
- Conflicts of interest.

These matters are addressed in the ToRs for the PPC (see items 4 and 6 of the Terms of Engagement annexed to its ToRs). The revision includes provisions based on the PPC ToRs (see sections 5.4 and 7). It also includes an appendix of Terms of Engagement (the existing ToRs refer to an appendix, but none is attached).

Improving Intelligibility

The revision contains many editorial changes to simplify and modernize the language of the ToRs so they speak more directly to parishioners in plain language. For example, requirements are expressed using “must” or “is to” rather than “shall”. The revision also eliminates repetition and inconsistency in terminology.

Next Steps

The next step would be for the Pastor to approve the revise ToRs. A further step would be for the PPC to review its ToRs (particularly sections 1, 9 and 10) as well as the Parish Statute (sections 3 and 11). Both of these also deal with financial matters and the PFC and do not appear to be aligned with the elements of Canon Law discussed above.