



**LEO**  
**DEI ET APOSTOLICÆ SEDIS GRATIA**  
**ARCHIEPISCOPUS**  
**S. ANDREÆ ET EDIMBURGENSIS**

**DECREE**

**PREAMBLE**

Whereas:

- 1) Can. 502, §1 provides that the College of Consultors executes its functions determined by law, We have caused statutes for the College of Consultors to be drawn up with the intention of adopting them for the College of Consultors in this Archdiocese;
- 2) Each member of the current College of Consultors has had the opportunity to review the proposed Statutes and there were no amendments suggested;
- 3) To the best of Our knowledge there are not and have not been approved statutes for the College of Consultors and;
- 4) The Statutes are as the following:

**THE STATUES OF THE COLLEGE OF CONSULTORS  
 OF THE ARCHDICOESE OF SAINT ANDREWS & EDINBURGH (2024)**

**PREAMBLE**

In various documents and in the law, the bishops are assisted by their priests as “ helpers and counsellors” since they form with him an hierarchical communion (*Presbyterorum Ordinis*, n.7).

While the Council of Priests supports the Archbishop to ensure the care of the faithful according to the norm of the law, from that same council there are to be chosen no fewer than six and no more than twelve to constitute the College of Consultors (cf. can. 502, §2).

Such a body ensures that the bishop is ably assisted in carrying out his duties. It provides a forum to express consent and opinion as the law requires, especially with regard to decisions of an economic nature and when the See falls vacant or is impeded. The College of Consultors provides “continuity of pastoral governance and correct procedure regarding the succession” (*Apostolorum Successores*, n.183).

Although the College of Consultors is drawn from the Council of Priests, the former acts freely and autonomously, according to the statutes and norm of the law.

### **ARTICLE I - Name**

The name of this body shall be ‘The College of Consultors of the Archdiocese of St Andrews & Edinburgh’, hereinafter referred to as ‘the College’.

### **ARTICLE II - Purpose**

The purpose of the College is as follows:

1. In those matters, as defined by law, the College will act as the principal consultative body for the Archbishop, Archdiocesan Administrator or other who may temporarily take the place of the Archbishop;
2. When the See is vacant or impeded, according to the norms of the law, the College will fulfil all functions of the Council of Priests. (cf. can. 501 §2) and;
3. The consent of the College must be obtained before the competent authority can function in the Archdiocese (cf. can. 127) with regard to the following:
  - 3.1. When an Archdiocesan Administrator grants excommunication or incardination following a period of more than one year in which the see has been vacant (cf. can. 272);
  - 3.2. When an Archdiocesan Administrator intends to remove the Chancellor or Notary from office (cf. can. 485);
  - 3.3. When an Archdiocesan Administrator issues dimissorial letters (cf. can. 1018, §1, 2<sup>o</sup>) and;
  - 3.4. When the Archbishop wishes to place acts of extraordinary administration (cf. can. 1277).
4. The College must be consulted by the Archbishop or other competent authority in the Archdiocese in the following cases:
  - 4.1. When the Archbishop places acts of administration which are more important in light of the economic condition of the Archdiocese (cf. can. 1277);
  - 4.2. The appointment of the Financial Administrator of the Archdiocese (cf. can. 494, §1) and;

- 4.3. The dismissal of a Financial Administrator during the appointed five-year term (cf. can. 494, §2).
5. When a question arises over the right of an active and passive voice of a priest who has “domicile or quasi-domicile in the Archdiocese” for election to the Council of Priests, the College of Consultors is heard by the Archbishop, before he settles the matter (cf. *Handbook for Priests*, Appendix 1.2, III, §2; 3).
6. When cases for the eligibility to vote and to be elected are disputed, the College shall decide by a simple majority.
7. The College is also required by the law to:
  - 7.1. Inspect the apostolic letter of appointment when a new Archbishop takes possession of the Archdiocese (cf. can. 382, §3);
  - 7.2. Inspect the apostolic letter of appointment when a Coadjutor Bishop takes office (cf. can. 404, §1);
  - 7.3. Inspect the apostolic letter of appointment when the See is impeded and a Coadjutor or Auxiliary Bishop assumes the governance of the Archdiocese (cf. can. 404, §3; 413, §1);
  - 7.4. Elect a priest to govern the Archdiocese if the See and the Coadjutor are impeded and there is no clear order of succession (cf. can. 413 §2);
  - 7.5. Appoint a Archdiocesan administrator if the see is vacant and there is no auxiliary bishop in place or appointment by the Holy See for the governance of the Archdiocese (cf. can. 419);
  - 7.6. Elect an administrator within 8 days of the Archdiocese falling vacant (cf. can. 421, §1);
  - 7.7. Inform the Apostolic See of the death of the Archbishop when there is no auxiliary bishop in place (cf. can. 422);
  - 7.8. Receive the resignation of the Archdiocesan Administrator (cf. can. 430, §2) and;
  - 7.9. Witness the Profession of Faith of the Archdiocesan Administrator (cf. can. 833, 4°).
8. The Archbishop is free to consult the College of Consultors on any other matters at his discretion.

### **ARTICLE III - Membership**

1. Membership of the College is selected by the Archbishop from the Council of Priests. (cf. can. 502, §1);
2. The College to be made up of seven, nine or eleven members;
3. The College is constituted of members appointed for a *quinquennium*. When a member vacates his position before the term of the College ends, the Archbishop is free to appoint, from the Council of Priests, a replacement member who will serve the remainder of the previous member's term;
4. Where the vacancy of a member of the College reduces its members to five or less, the Archbishop must appoint, from the Council of Priests, additional member(s) until there are at least seven;
5. Once a member is appointed to the College their continued membership is not dependent upon their membership of the Council of Priests. Even when their membership of the latter may cease, their place in the College continues for the duration of the term and;
6. Loss of membership occurs when a member is freely removed by the Archbishop or upon notification of the cessation of the College (cf. can. 186).

### **ARTICLE IV - Cessation of the College**

1. The College ceases to exist *ipso iure* when five years have elapsed and the Archbishop has established a new College (cf. can. 502, §1). In any interim time between the five years having elapsed and the new College being convoked, the previous College continues to exercise its proper functions and;
2. The establishment of a new Council of Priests following the appointment of a new Archbishop has no effect on the existence of the College.

### **ARTICLE V - Officers**

1. The President of the College is the Archbishop of St Andrews & Edinburgh or the Archdiocesan Administrator. When the See is vacant, or if impeded, an Auxiliary Bishop serves until the Archdiocesan Administrator is appointed. If no Auxiliary Bishop is in place during the impeded or vacant see, the member of the College senior in ordination serves as the President until an Archdiocesan Administrator is appointed (cf. can. 502, §2) and;
2. From the members of the College, the President will appoint a Secretary who serves to record the minutes of the meetings and perform administrative functions at the President's request.

- 2.1. The Secretary serves at the will of the President and can be replaced by him at any time, allowing the President to designate another to serve in an absence of the Secretary and;
- 2.2. Whilst a new President may appoint a new Secretary, the former office bearer does not lose membership of the college *ipso facto*, when a new President assumes his function.

## **ARTICLE VI - Meetings**

1. The College is to meet when convoked by the President;
2. Meetings are convoked at the discretion of the President;
3. To convoke a meeting the President must provide notification, in writing, a minimum of one week before the meeting. This is the only legitimate means of convoking a meeting;
4. Special meetings may be called when required by the law;
5. Only those called and present at the time and place specified in the notice of convocation are permitted to participate in the activity of the meeting;
6. Members of the College, legitimately convoked, forfeit the right to participate in those meetings when they are not present;
7. When the consent or vote of the College is required by law, each member who is present, according to the prescripts, has the right to vote;
8. An absolute majority of those with the right to vote provides the will of the College (cf. can. 127, §1);
9. When the counsel of the College is required by law or desired, each member present, according to these statutes, has the right to offer an opinion on each matter discussed;
10. When the counsel of the College is sought or mandated by the law, the President must convoke all members and seek the opinion of all those present for each matter discussed at a meeting. A formal vote is not required. Votes may be initiated by the President and;
11. The *quorum* to consider the College legitimately formed is reached when at least half of the convoked members plus one are present (cf. can. 167).

## **ARTICLE VII - Committees**

No Committees are allowed within the College.

## **ARTICLE VIII - Amendments**

Only the Archbishop of St Andrews & Edinburgh may alter these statutes after due notification of the changes are made in writing to all members of the College.

ENDS

**Accordingly, I, Leo Cushley, Archbishop of St Andrews & Edinburgh, HEREBY DECREE and DIRECT that,**

- 5) **With immediate effect, the document entitled, “The Statutes of the College of Consultors of the Archdiocese of St Andrews & Edinburgh (2024)” as detailed at n.4 of this DECREE are hereby adopted with immediate effect and;**
- 6) That this DECREE is to be promulgated immediately on the Archdiocesan website, that attention be drawn to it in a letter *ad clerum* and that a copy should be sent to the members of the College of Consultors.

Furthermore:

- 7) If anyone considers himself aggrieved by this administrative DECREE, that person is within his rights to seek hierarchical recourse according to the norms of cann. 1734 and 1737 and;
- 8) All things to the contrary notwithstanding.

+ L. J. Cushley

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✠ Leo Cushley  
Archbishop of St Andrews & Edinburgh

  
The Very Reverend S. Deeley VE  
Chancellor

Given at Edinburgh, 19 March 2024, The Solemnity of St Joseph, Patron of the Universal Church.

