



The Administrative Statutes of the Order of Preachers

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Administrative Statutes of the Order of Preachers

Preamble

In accordance with LCO 553¹ and the mandate from ACG Roma 2010, 244, these Administrative Statutes of the Order of Preachers (the Order) supplement and make particular the legislation of LCO that addresses immovable and movable temporal goods,² pertaining to the Order at the level of the General Curia and institutions/convents/houses under the immediate jurisdiction of the Master of the Order. Provinces shall have their own administrative statutes (cf. 552).³

1. In our consecration as religious, all of the brothers share responsibility for economic, financial, and administrative matters in the care of the temporal goods belonging to the Order so that it may fulfill its apostolic mission.
2. The administration of temporal goods in the Order shall be in compliance with the legislation of the Order, the Church, and civil legislation that govern their use.
3. These statutes are normative for the administration of the temporal goods of the Order.

General Chapter

4. The highest authority in the Order is the General Chapter. Its norms and decisions are to be observed by all members of the Order for its good (cf., LCO 17, 405).
5. It belongs to the General Chapter in economic and administrative matters to:
 - I. determine and direct the economic activity of the Order;
 - II. establish the parameters for the organization and administration of all economic matters pertaining to the Office of the Syndic and the economic life of the Order; and
 - III. ensure compliance in all matters in the LCO and the legislation of the Order through a process of accountability and transparency.

¹ 553. - *Ordo ad mentem n. 552 habeat proprium statutum administrationis a magistro Ordinis cum suo consilio adprobatum.*

552. - *Provincia debet habere statutum administrationis, quod sit pars statuti istius, secundum exigentias suas, in quo omnia administrationem bonorum temporalium spectantia pressius determinentur. Hoc statutum in actis capituli provincialis includi debet, et quoad substantiam non de facili mutetur.*

² In these statutes, temporal goods include both movable and immovable goods (cf., LCO 550).

³ Throughout these statutes, the term "Province" also refers to a Vice-Province, General Vicariate. The Administrative Statutes for temporal goods of a Provincial Vicariate or Regional Vicariate are under the jurisdiction of its respective Province.

Master of the Order and his General Council

6. The Master of the Order governs the Order with the consent and advice of his General Council (cf., LCO 425). Questions of major importance to the life of the Order include the administration of temporal goods as set forth in the legislation of the Order, the Church, and civil law.
7. It belongs to the Master of the Order and the General Council to:
 - I. approve and authorize any loan to another entity of the Order;
 - II. fulfill diligently all matters mandated to it by the LCO (approval of annual budgets, financial reports, decisions regarding investments, etc.) through a process of accountability and transparency; and
 - III. mandate annual or special audits.
8. The Master of the Order proposes and seeks advice from the General Council for the nominations of the Syndic of the Order, the Legal Representative of the General Curia, the members of the Economic Council of the Order, and the Presidents of *Spem Miram Internatinalis* and the International Dominican Foundation (IDF).
9. The Master of the Order and the General Council approves and, when necessary, amend the statutes of the different funds of the Order that are administered by the General Curia.

Economic Council of the Order

10. The Economic Council of the Order is the ordinary body used by the Order to study, assess, evaluate, and give counsel on matters related to economic administration. The work of the Economic Council of the Order is analogous to the Economic Council of a Province (cf., LCO 581-582).
11. The members of the Economic Council of the Order as well as the members of the Extraordinary Economic Council, are appointed by the Master of the Order after consultation with his General Council. Non-*ex officio* members are appointed for a term of three years, which may be renewed no more than once.
12. The Ordinary Economic Council consists of:
 - I. the Syndic of the Order (*ex-officio*) as its president;
 - II. the President of *Spem Miram Internatinalis*; and
 - III. at least four other friars nominated by the Master of the Order.
13. Meetings of the Ordinary Economic Council are to be convened by the Syndic of the Order twice a year and at any other time deemed necessary. For urgent cases, it is sufficient for the Syndic to convoke members who are nearby.

14. The Extraordinary Economic Council of the Order consists of:

- I. the Syndic of the Order (*ex-officio*) as its president;
- II. the Ordinary Economic Council of the Order (as in art. 12); and
- III. at least two other friars nominated by the Master of the Order from different regions of the Order that are not already represented on the Ordinary Economic Council.

15. The Extraordinary Economic Council of the Order is to be convoked by the Syndic of the Order every three years in preparation for a General Chapter. It is to analyze and recommend the *Relatio* of the Syndic to the Master and his General Council (cf. ACG Roma 2010, 243).

16. The Economic Council elects from its members its secretary in one scrutiny.

17. Suitable and trustworthy lay persons may be invited as *periti* to meetings of the Economic Council for advice and counsel according to their professional competence (cf., LCO 581, I).

18. The Economic Council has the responsibility to:

- I. examine all matters of economic administration directed to it by Master of the Order and his General Council;
- II. examine the annual financial reports that must be presented to the Master of the Order and his General Council or to the General Chapter;
- III. assist the Syndic of the Order in his responsibility for the economic administration of the General Curia according to the norms of the Church, the Order, the Civil Law, and these statutes;
- IV. analyze the economic matters that pertain to the convents, houses, and institutes under the immediate jurisdiction of the Master of the Order with special attention to the established limits for expenditures set by their respective councils;
- V. study and examine the budgets and financial state of the convents, houses, and institutions under the immediate jurisdiction of the Master of the Order;
- VI. examine or recommend necessary projects for the proper administration of the temporal goods of the Order;
- VII. study and make recommendations on changes of the property of the Order;
- VIII. study and make recommendations for the preservation of the patrimony of the Order and to ensure an appropriate return on the investments of the Order;

- IX. draft the minutes of the meetings in which are recorded the decisions and recommendations of the Economic Council that are to be presented to the Master of the Order and his General Council;
- X. recommend amendments to these statutes to the Master of the Order and his General Council; and
- XI. fulfill diligently all matters mandated to it by the LCO through a process of accountability and transparency.

The Syndic of the Order

- 19. The Syndic of the Order is the brother directly responsible for the economic administration of the General Curia, under the authority of the Master of the Order. In this role, he collaborates with the syndics of the Provinces and the directors of the institutions under the immediate jurisdiction of the Master of the Order.
- 20. The Master of the Order, after having consulted with his General Council, appoints the Syndic of the Order for one term of six years (cf., LCO 431, I, II).
- 21. It is the responsibility of the Syndic of the Order in matters of economic administration to:
 - I. provide for the expenses of the Master of the Order, either official or personal, either directly or through the syndic of the convent of Santa Sabina, and to offer advice on economic issues;
 - II. oversee the process of bookkeeping for the General Curia and the funds it administers;
 - III. oversee the investments of the General Curia;
 - IV. present for approval to the Master of the Order and his General Council the financial reports and the annual budgets of the General Curia and those convents, houses, and institutions under the immediate jurisdiction of the Master of the Order;.
 - V. prepare the questionnaire which determines the annual contributions made by the Provinces to the General Curia;
 - VI. ensure compliance with the laws concerning contracts and the conduct of the staff/employees of the Curia and of the Convent of Santa Sabina;
 - VII. pay the fiscal obligations and property taxes of the Order to the civil authorities;
 - VIII. care for and maintain the economic archives of the Office of the Syndic; and
 - IX. fulfill diligently all matters mandated to it by the LCO through a process of accountability and transparency.

Dates

22. The dates of the fiscal year and the main timelines are as follows:

I. The fiscal year for the General Curia begins on 1 January and ends on 31 December. Depending on the respective apostolates, some convents, houses, and institutions under the jurisdiction of the Master of the Order may have a different fiscal year beginning on 1 July and ending on 30 June.

II. For convents, houses, and institutions under the jurisdiction of the Master of the Order, financial reports (cf., LCO 571) are due according to the following schedule:

(1) For entities following the calendar year (1 January – 31 December):

(a) The financial statements and reports of the previous fiscal year are due before March 1.

(b) The budget for the following fiscal year is due before October 1.

(2) For entities following a different fiscal year:

(a) The financial statements and reports for the previous fiscal year are due before October 1.

(b) The budget for the following fiscal year is due before March 1.

Juridical Person and Legal Representative of the Generalate.

23. Italian law recognizes the Order of Friars Preachers as a juridical person under the name of "GENERALATE Order of Friars Preachers (also called Dominicans)", based in Rome, Piazza Pietro d'Illiria, 1 (DPR Jan. 21, 1964 n. 44).

24. The convents, houses, or institutes under the immediate jurisdiction of the Master of the Order may be considered as a separate juridical person under the civil law only with the approval of the Master of the Order and his General Council.

25. The General Curia has a legal representative who is the brother entrusted with the task of representing the Order and acting on its behalf in all legal acts of ordinary administration, as required by law.

I. The legal representative for the Order is appointed and replaced by the Master of the Order and his General Council.

II. The legal representative exercises his office, as instructed by the Master of the Order (cf., CIC. 118), in accordance with the norms of the universal laws of the Church and civil law. He has no decision-making power, nor may he take any action independently.

III. The legal representative may be called to the General Council and to the Economic Council of the Order when necessary to address legal questions. His opinion, however, will be only advisory in nature.

26. It is the responsibility of the legal representative of the Order to:

- I. represent the Curia, as an institution, for all legal and tax matters as necessary and to ensure compliance with the Tax Code;
- II. be the first authorized signature on all contracts, instruments, and investments in different financial institutions that represent the central administration of the Order;
- III. ensure compliance with accounting rules, and tax and legal regulations relating to the General Curia in matters before the state;
- IV. legally represent the Curia for contracts executed; and
- V. sign all employment contracts with General Curia and to evaluate employee performance according to their contracts and the laws of conduct.

Economic Goods

27. In the administration of and accounting for economic goods, provisions of ecclesiastical and civil law must be followed. Special attention is to be paid to labor, fiscal, and tax laws where applicable.

Administrative Organization: Chart of Accounts

28. The General Curia will have a uniform chart of accounts and follow standard accounting practices. It will follow a uniform format for presenting economic reports, budgets, and annual financial statements.

29. Each province will provide consolidated financial statements to the Master of the Order that include, but are not limited to, Statements Activities (Income Statements), general budgets, Statements of Financial Position (Balance Sheets) etc

Economic Planning

30. The need for short and long term economic planning is essential to fulfill the mission of the Order. This plan is to be reviewed by the Syndic of the Order and the Economic Council periodically.

31. The economic plan must include the reason and justification for any major capital projects. The plans should include financing arrangements, terms of contracts, and evidence of competing bids.

Budgets

32. The budgets for the Order and convents, houses, and institutions under the jurisdiction of the Master of the Order must include a Statement of Activities and Statement of Financial Position along with projected revenues and expenditures, taking into account any surplus of previous years, increases in the cost of living, and any other relevant information, always trying to provide realistic estimates for the budget year.

Contracts

33. Contracts that have economic consequences must be in writing with a copy placed in the archive of the Order, or of the respective convent, house, or institution under the immediate jurisdiction of the Master of the Order. (cf., LCO 606 - 609).
34. The Economic Council is to be consulted before entering into major contracts or leases (cf., LCO 608 & II).

Property, Furniture, and Patrimony

35. All property and possessions are to serve the purpose of the Order and its mission. As with a Province, the Order must not accumulate goods that do not serve this purpose (cf., LCO 32).
36. In the administration of property, the Order must adhere to legislation in CIC, the LCO, and the State; when necessary, the Order should seek the advice of competent and trustworthy lay professionals.
37. The Order is to maintain an inventory listing of all properties and real estate, including furniture and works of art that are to be conserved (ACG, Krakow 2004, n. 336). A copy of this inventory, including items that may be leased, is to be kept in the archives of the Order and updated as necessary (cf., CIC c. 1283.2).
38. The Syndic should maintain the general blueprint and plan for each property of the Order. Along with this document, there is to be a document that contains the description of facilities and any services rendered from it.
39. The use of the Order's property by third parties should be studied and controlled so as to avoid creating third-party ownership rights, which, in the future would affect the property.
40. Contracts for the purchase, sale, exchange, and lease of property, like any other contract, shall be prepared by a competent person, and updated according to civil and ecclesiastical law.
41. Leases are acts of extraordinary administration and are therefore subject to the approval of the appropriate higher authority (e.g., Master of the Order and his General Council or a General Chapter).

Limits in Spending

42. The Master of the Order and his Council will establish spending policies for the convents, houses, and institutes under the immediate jurisdiction of the Master. These policies should specify spending policies which govern the amount of money that a Superior may spend alone, what he may spend with the consent of his council, and what requires the consent of the Master of the Order.

Annual Contributions to the Order

43. Annual contributions are made according to the LCO and the most recent decisions of a General Chapter.

Bank Accounts and Investments

44. Changes to the investment policies of the Order require the recommendation of the Economic Council and the approval of the Master of the Order and his General Council.
45. Bank deposits of each entity in the Order are considered the property of one of our legally recognized bodies.
46. No brother can personally open or possess deposits or investments of any kind, even if donated by benefactors or relatives.
47. The syndics of the convents and the directors of the institutes that receive subsidies from the Order, may not use them to make investments without the approval of the Master of the Order, and after consulting the Economic Council.

Insurance

48. Insurance policies for the Order are to be reviewed by the Economic Council which then recommends them to the Master of the Order and his General Council for approval. These insurance policies include, but are not limited to, health insurance, pensions, liability, and property insurance.
49. The cars owned by the Order or convent are to be properly insured in order to ensure, the safety of passengers and drivers (LCO 610-613).

Lay Employees

50. All staff employed by the General Curia or a convent, house, or institution under the immediate jurisdiction of the Master of the Order are to be treated with justice and charity and fairly compensated according to local labor regulations. All civil laws of the jurisdiction related to the rights of employees in matters of hiring, suspension, and dismissal are to be observed (cf., LCO 614-615).

51. The remuneration is always carried out with regular pay envelope, or other form of receipt recognized as valid, which shall include all information necessary to avoid future disputes (days and hours worked, any extraordinary, etc.).

52. The relevant syndic shall carefully oversee and safeguard all payroll records.

Modification of Statutes

53. These statutes are approved, and may be amended, by the Master of the Order and his General Council (cf., LCO 553). They take effect once they have been promulgated by the Master of the Order.

The present statutes, rules and regulations have been approved by the Master of the Order and his General Council on May 30, 2013.

Promulgated at the Convent of Santa Sabina, Rome, this 5 June 2013

fr. Bruno Cadoré, O.P.
Master of the Order

fr. Franklin Buitrago Rojas O.P.
a secretis