



2018

# Ordo

Capituli Generalis  
Celebrandi

2018



# PROCEDURES FOR CONDUCTING A GENERAL CHAPTER

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# PROCEDURES FOR CONDUCTING A GENERAL CHAPTER PART ONE GENERAL NORMS

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## Chapter I: The Announcement of the General Chapter

### *The Ordinary and Extraordinary Chapter*

*Art.1* The General Chapter is either ordinary or extraordinary.

§ 1. The ordinary General Chapter, during which among other things elections to the general offices of the Order are held, is to be convoked every six years, around the feast of Pentecost, unless the General Minister with the consent of his Council judges another time of the year more suitable (Const. 124, 2).

§ 2. The extraordinary General Chapter is convoked for special reasons by the General Minister at times when it is necessary to treat matters of great importance for the life and activity of the Order (Const. 124, 3).

### *Convocation of the Chapter*

*Art.2* The convocation of the Chapter is carried out lawfully through circular letters signed by the General Minister according to norms 47 and 49.

### ***The Obligation of Attending the Chapter***

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*Art.3* All the capitulars, whether *ex iure* or elected as delegates, are obligated to attend the General Chapter. If someone, for reasons of illness or some other just cause, cannot come to the Chapter, he shall inform the General Minister in good time such that, the cause of the impediment having been recognized, the substitute may arrive in time.

### ***Departure***

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*Art.4:* None of those who attend the General Chapter are allowed to depart before the Chapter is duly concluded, unless the President of the Chapter, knowing and approving of the reason for the departure, gives permission to the one who is leaving.

### ***Absences***

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*Art.5* Anyone who does not wish to be present at a general assembly or a session of a commission must make his reason known to the respective president of the Chapter or commission.

## **Chapter II: The Delegates and Substitutes**

### ***Delegates and Substitutes***

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*Art.6*

§ 1. In every province all the perpetually professed brothers shall elect one delegate to the General Chapter and a substitute for every hundred professed brothers (OGC 8/9, 1).

## ***Active and Passive Voice***

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*Art.7* In the election of delegates all perpetually professed brothers shall have active and passive voice (cf. OGC 8/9, 1).

## ***Impediments to Attending the Chapter***

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*Art .8*

§ 1. If the provincial minister is impeded for a serious reason known to the General Minister, or the office of provincial minister is vacant, the provincial vicar attends the Chapter (Const. 124, 5). If the provincial vicar is also impeded, the provincial councilor who follows him in the order of election attends the Chapter. If a custos is impeded by a serious reason, the first councilor of the custody attends the Chapter.

§ 2. If a delegate is impeded, the substitute attends the Chapter in his place; if he is also impeded, the friar who received the next highest number of votes in the election of delegate or substitute attends the Chapter.

§ 3. In the truly extraordinary case in which, for serious reasons, either a vocal *ex iure*, or delegate and substitute is impeded from attending the Chapter, then another available brother from that province or custody may be summoned at the discretion of the General Minister and his Council.

## **Chapter III: Active and Passive Voice**

### ***Active Voice***

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*Art. 9*

§ 1. In both the ordinary and extraordinary General Chapter, the following have active voice: the General Minister, the General Vicar, the general councilors, the preceding General Minister after the expiration of his mandate and until the next

General Chapter inclusive, the provincial ministers, the custodes, the General Secretary, the General Procurator, the delegates of the provinces and other friars according the norms established by the Ordinances of the General Chapters (Const. 124, 4; cf. OGC 8/8).

§ 2. Each Conference of Major Superiors shall choose a perpetually professed lay brother as delegate to the Chapter, according to the procedure established by the statutes of the Conference (OGC 8/8).

### ***Passive Voice***

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*Art. 10* As regards passive voice, all brothers who have been in perpetual profession for at least three years may be elected to the office of General Minister (cf. Const. 123, 6).

### ***Reelection***

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*Art. 11*

§ 1. The outgoing General Minister:

- a) can be reelected only for one other successive sexennium, without prejudice to the right to postulation (Const. 125, 2; 123, 7);
- b) in the election of General Councilors he has only active voice (Const. 125, 4).

§ 2. The General Vicar and the Councilors are always reelectable. Nevertheless, in each Chapter only half of those Councilors elected in the preceding Chapter can be reelected (Const. 125,5).



## Chapter IV: The Various Services and Offices at the Chapter

### *The Presidency*

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*Art. 12* The General Minister presides at the Chapter. If he is absent or impeded, his place is taken by the friar who is next in the order of precedence by seniority of temporary profession.

### *The Council of the Presidency*

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*Art. 13*

§ 1. The following make up the Council of the Presidency:

- a) the President of the Chapter;
- b) the councilors chosen from the individual groups.

§ 2. If the members of the council so constituted are an even number, another member is to be added to the council, taken from that capitular group that is the largest of all, so as to obtain an uneven number.

§ 3. It pertains to the Council of the Presidency to ensure that the present *Procedures* are duly observed, and doubts and difficulties are resolved. It shall be convoked frequently to conduct the general business, so that the work of the capitulars can be carried out more expeditiously.

§ 4. The Council of the Presidency elects its own Vice President from among its member councilors.

## ***The Moderators***

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### ***Art. 14***

§ 1. Three moderators shall take turns leading the sessions, guiding the discussions and managing requests for votes in an orderly way.

§ 2. The Chapter may always replace moderators whenever this seems appropriate.

## ***The Chapter Secretariat***

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### ***Art. 15***

§ 1. The Secretariat of the Chapter is made up of various members, such as: the Chapter Secretary, the tellers, the recorders of minutes, experts, typists or secretaries, interpreters, translators, and technicians.

§ 2. All minutes and documents are to be collected and distributed through the Chapter Secretariat.

## ***The Chapter Secretary***

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### ***Art. 16***

§ 1. The Chapter Secretary assists the President, the Council of the Presidency and the moderators, and is in charge of all the officials of the Secretariat.

§ 2. The Chapter Secretariat has the following particular tasks:

- a) to prepare, with the consent of the Council of the Presidency, the agenda of the general sessions, to arrange the list of the friars who wish to speak in the general sessions, and communicate to the capitulars, at the proper time, what they are to do;

b) to make copies of texts, reports, and amendments to be studied, and to distribute these to the friar capitulars and to the experts, and to announce the results of votes;

c) to sign the record of what is done in the general sessions as written by the takers of minutes as well as the documents of the Chapter, to arrange these in order and store them carefully, such that they can be published in an appropriate manner.

### ***The Chapter Vice Secretaries***

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*Art. 17* The Chapter vice secretaries, of whom there must be at least two, assist the Secretary of the Chapter and take his place when he is absent or impeded.

### ***Recording Secretaries***

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*Art. 18* The recording secretaries draft the minutes of what is done in each general session and hand it in to the Chapter Secretariat.

### ***The Tellers***

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*Art. 19*

§ 1. The tellers, of whom there must be at least three taken from the body of the Chapter, are to distribute ballots to each capitular and collect them, carry out the counting, and sign the record of the scrutinies.

§ 2. With respect to elections and votes carried out in writing, the chapter can appoint additional tellers, chosen likewise from among the capitulars. The documents, however, are to signed only by the three principal tellers.

### ***Experts***

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*Art. 20*

§ 1. Experts, who assist the Chapter and help with the work, attend the general assemblies, but may not speak unless asked

to do so. They are available to any commission, working together with its members on amending or redrafting texts.

§ 2. Should it seem appropriate, the General Minister with his Council may include a facilitator among the experts, who is able to usefully provide the Chapter with practical techniques, both in the preparatory and the implementation phase.

### ***Secretaries***

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*Art. 21* Secretaries or typists prepare the documents, notices, and all the other communications that are to be read in the Chapter or distributed to the friars.

### ***Translators and Interpreters***

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*Art. 22*

§ 1. The translators and interpreters translate the talks and interventions of the friars, made either in speech or in writing, into the languages of the groups, as well as the minutes, documents, and official communications.

§ 2. They are chosen by the General Minister with the consent of the Council, in a sufficient number such that the work of the Chapter can proceed expeditiously.

### ***Technicians***

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*Art. 23* Technicians shall ensure the good operation of the equipment.

### ***Observers***

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*Art. 24* Should it please the Chapter, observers may be invited, even if they do not belong to the Order.

### ***The Communications Office***

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*Art. 25* The Communications Office shall be set up under the direction of the Chapter Secretariat to prepare news releases and to communicate them in a timely manner to the

provinces, custodies, and if it seems suitable, the news media.

## ***The Appointment of Officials***

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### **Art. 26**

§ 1. The President of the Chapter is also *ex officio* the President of the Council of the Presidency. Other members are elected by the Chapter. Each group can nominate one or more candidates. If a group proposes only one candidate, the election can proceed by a show of hands or in another similar way. If the group proposes more than one candidate, the election takes place by a secret ballot, in which a relative majority suffices for election.

§ 2. The tellers, who are to be chosen from among the capitulars, are nominated by the Council of the Presidency and approved by the Chapter.

§ 3. The moderators of the general sessions, the Chapter Secretary and the vice secretaries do not necessarily have to be capitulars.

§ 4. The moderators of the general assemblies and the Chapter Secretary are nominated by the General Minister with the consent of the Council, after consultation and, maintaining the right of the Chapter, are elected by the capitulars.

§ 5. After consultation, the vice secretaries are nominated by the General Minister with the consent of the Council and approved by the Chapter.

§ 6. Experts, interpreters, recording secretaries, translators, typists and other officials are nominated by the General Minister with the consent of the Council. Their acceptance is indicated by a show of hands or in some other manner.

### ***List of Persons***

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Art. 27 At the beginning of the Chapter each capitular shall have a copy of the list of all the Chapter brothers; after that, bearing in mind art. 58, a new register will be composed and distributed, showing each one's name, qualification and role at the Chapter.

### ***Substitutions***

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Art. 28 If anyone taking part in the Chapter withdraws from the Chapter for whatever reason, another person shall replace him, all requirements being observed.

## **Chapter V: The Groups**

### ***Setting up of Groups***

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Art. 29 § At the beginning of the Chapter the friar capitulars shall freely and thoughtfully set up specific groups from the same country, language, region, or according to other criteria.

§ 2 The Council of the Presidency shall prevent excessive disproportionality between the groups by subdividing larger groups or regrouping smaller ones, according to circumstances.

Art. 30

§ 1 The primary purpose of the capitular groups is to take common counsel regarding the events and business of the Chapter, and at the right time to submit joint proposals or advice to the Council of the Presidency.

§ 2. The capitular groups shall collaborate by exchanging documents and discussing the business to be transacted or the preparation for elections. There is nothing to prevent anyone,

on occasion, from attending a capitular group other than his own.

### ***Candidates***

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#### ***Art. 31***

§ 1. A number of capitular groups may meet together to nominate one or more candidates for elections.

§ 2. For the election of General Councilors various criteria for the better service of the Order should be kept in mind, especially the diversity of cultures in regions and local churches, and the number of brothers and circumscriptions of the Order in each region.

### ***Method of Working***

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#### ***Art. 32***

§ 1. Each group may choose the method of working that it considers most suitable.

§ 2. The groups may summon the Chapter experts to their meetings.

## **Chapter VI: Capitular Commissions**

### ***The Number of Commissions***

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***Art. 33*** As many capitular commissions shall be set up as appear necessary or appropriate to the General Chapter. Where necessity or utility demand, mixed commissions may be set up, according to art. 36, 3.

## ***The Members of the Commissions***

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### ***Art. 34***

§ 1. Each commission ordinarily consists of at least nine capitulars and some experts, having regard for each member's special expertise and maintaining, as much as possible, a certain representation of the different regions and languages.

§ 2. Individual capitulars and experts may only belong as members to one commission at the same time. However, if he considers it necessary, each commission president may consult any capitular or expert.

## ***Election of Members***

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### ***Art. 35***

§ 1. After consultation and presentation to the capitular groups, the members of each commission are elected by the Chapter by one ballot and in one scrutiny by a relative majority of votes. The experts who are attached to each commission, however, are appointed by the Council of the Presidency, after consulting the members of the commission concerned.

§ 2. The members of the Council of the Presidency, the moderators, and the Chapter Secretary cannot be members of the commissions.

§ 3. Each commission elects a president, vice president and secretary from among its own members.

## ***Tasks of the Commissions***

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### ***Art. 36***

§ 1. The main task of the capitular commissions is to amend and redraft texts, according to the norms in art. 77, 78, 80 and 83.



§ 2. A commission may, if appropriate, organize itself into sub-commissions to study, clarify, and discuss propositions.

§ 3. Should certain amendments pertain to the competence of two or more commissions, they can, with the consent of the Council of the Presidency, be entrusted to a mixed commission, made up of members already appointed to other commissions.

§ 4. No text drafted or amended by any commission may be put to a vote in the Chapter Hall without first being accepted by the commission in a plenary session.

### ***Approval of Amendments***

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Art. 37 When the amendments have been approved by a vote, the president of the competent commission shall ensure that the approved amendments are inserted into the text and a copy of the newly amended text is distributed, as mentioned above.

### ***The Time and Place of Work***

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Art. 38

§ 1. The president of each commission shall duly inform the respective members of the time and place where they are to meet to carry out their work together.

§ 2. The secretaries of the commissions shall write up the minutes and compile a report of each session of the commission.

## Chapter VII: The Votations

### *A – In Electoral Sessions*

#### *On not being ambitious for office*

*Art. 39* In conferring offices the brothers are to proceed with a right intention, simply and according to the norms of law...The brothers, as true lesser ones, are not to be ambitious for office; but if they are called to it by the confidence of the brothers, they should not obstinately refuse to serve as a superior or in some other office. (Const. 123, 2;5).

#### *The Majority Required*

*Art. 40*

§ 1. Elections at the General Chapter are governed both by universal law and by our own particular law; therefore in each scrutiny he is considered elected who obtains an absolute majority of the votes of those who are present (can. 119, 1), observing also the following rules concerning the conduct of ballots.

§ 2. In the election of General Minister and General Vicar, after the second inconclusive ballot, there is a third ballot in which only the two who had the largest number of votes in the second ballot enjoy passive voice.

§ 3. In the election of General Councilors, however, if it should happen that in there is no absolute majority in either the first or second ballot, there is a third ballot in which only the two who received the largest number of votes are eligible.

§ 4. On the final ballot, that is the third (for Minister, Vicar, and Councilors), he who has the relative majority is elected. If the votes are equal, he is elected who is senior by first profession, or, if the two professed the same day, he who is senior by age.

## ***Prior Consultations***

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*Art. 41* Prior consultations on those to be elected can be made (Const. 123, 3); this is done principally by means of a *curriculum vitae* or by means of other available information.

## ***Renunciation of Passive Voice***

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*Art. 42*

§ 1. Should any of the capitulars renounce his passive voice, which is to be done in writing and only for a serious reason, the Chapter shall be notified.

§ 2. If someone is elected to any office and renounces his right before the Chapter closes, the Chapter is to be informed in writing and then another candidate is elected immediately to that office, in the manner mentioned above (art. 40). In the case that the one who is elected is absent, and the General Minister has been informed of his renunciation after the Chapter has closed, another candidate shall be appointed according to the norms of the Constitutions (127, 5 and 6).

## ***B – In The Sessions Apart From Elections***

### ***The Formula to be Used***

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*Art. 43*

§ 1. Voting in the general business sessions follows the formula: *placet, non placet, placet iuxta modum*, if it is a case of approving or amending a text whether in whole or in part. The formula *placet* or *non placet* is used when entering or rejecting amendments, and always in the final vote.

§ 2. The formula: *placet, non placet* is used also in other votes, particularly those pertaining to procedure.

§ 3. When voting in capitular commissions, the formula *placet, non placet, placet iuxta modum* is used.

### ***Voting Procedure***

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#### ***Art. 44***

§ 1. In general assemblies votes are conducted using either paper ballots or electronic apparatus, unless the moderator indicates otherwise.

§ 2. In the capitular commissions the manner of voting is determined by the commission itself.

### ***Majority of Votes***

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#### ***Art. 45***

§ 1. In the general sessions and in the commissions, when it is a question of accepting or rejecting something, an absolute majority is required according to the norms of law (can. 119, 2), unless otherwise indicated in these *Procedures for Conducting a General Chapter*.

§ 2. If it is a case of having to decide questions that must later be referred to the Holy See for definitive approval, or something that a majority of the capitulars considers to be of great importance, two thirds of the votes of those present are required.

§ 3. When a question of procedure is raised, it is resolved by an absolute majority of the capitular brothers, except in the case mentioned in art. 76 §2.

## Chapter VIII: Languages

### *The Languages of the Documents*

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#### Art. 46

§ 1. Italian is to be used for the minutes and other official documents of the Chapter.

§ 2. For interventions in the general sessions, English, French, German, Spanish, and Portuguese can be used.

§ 3. With the exception of the minutes and decisions, which are to be written in Italian, capitular commissions, according to the judgment of the president, may use the language that is known to the majority of the members.

§ 4. A summary in Italian should be added to texts in another language that are not strictly official.

§ 5. Whoever makes observations in the general assemblies should immediately submit a written report, signed by himself, to the Chapter Secretary. If a language other than Italian is used, a summary should be added to the report in Italian.

§ 6. Amendments and other texts distributed to the capitulars should be translated into the main languages. The copy sent to the Secretariat should be accompanied by a summary in Italian.

§ 7. In all the votes, whoever wishes to express himself with the formula *placet*, *placet iuxta modum*, must hand in the amendment he intends to propose, written clearly and concisely in Italian, and signed.

# **PART TWO**

## **PARTICULAR PROCEDURAL NORMS**

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### **Chapter I: The Preparation of the Chapter**

#### ***How and When the Chapter is Convoked***

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*Art. 47* At a suitable and convenient time, usually ten months before the Chapter, a letter officially convoking the Chapter is to be published to the whole Order and to all *ex iure* capitulars personally.

#### ***The Election of Delegates***

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*Art. 48*

§ 1. At the time appointed in the provinces and custodies entitled to do so, the election of delegates and substitutes takes place according to norms 6, 7, and 8. Notification of those who have been elected is sent to the General Minister as soon as possible, keeping in mind the prescription of art. 3.

§ 2. Immediately upon being duly elected, the delegates are considered *ipso facto* called to Chapter without any further, personal invitation.

§ 3. The delegates shall then bring to the Chapter a personal document signed by a legitimate superior, so that, at the appropriate time, the legitimacy of their election may be duly verified.

#### ***The Place, Time, and the Persons at the Chapter***

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*Art. 49* The letter of convocation should clearly state the place where the Chapter is to be held, the day on which it is to begin and

the persons who must attend, as well as other additional necessary or useful matters, together with a recommendation that prayers be said for the success of the Chapter.

### ***The Collaboration of the Entire Order***

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#### *Art. 50*

§ 1. Once the Chapter has been announced, all the friars, either individually or in groups, according to the norms of Const. 125, 1, may send to the General Curia, in a timely manner, the suggestions and proposals that they believe are for the good of the Order. The suggestions and proposals to the Chapter are to be expressed briefly, with at least a summary in Italian, with each topic written on a separate document (cf. can. 631, 3).

§ 2. Two years before the Chapter, the General Minister shall convoke the Presidents of the Conferences to examine practical questions pertaining to the Chapter (for example, the topics that have already been foreseen and proposed, the appointment of the Preparatory Commission), and the basic issues to be treated at the Chapter.

### ***Preparation of the Chapter***

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#### *Art. 51*

§ 1. To prepare for the General Chapter, the General Minister, with the consent of his Council, shall appoint a Preparatory Commission consisting of nine members, three of whom (or two plus the General Secretary) shall be selected from among the Councilors and six from the Conferences who have been proposed by the Presidents, in such a way that there is one representative respectively for North America, Latin America, Asia and Oceania, and Africa, and two representing the European Conferences.

The General Minister shall ask one of the Presidents of the Conferences for each continental region to consult the other presidents about nominations. The Commission is first convoked by the General Minister, and begins its work by electing a President and Secretary. The latter may be chosen from outside the commission.

§ 2. The tasks of the Preparatory Commission are the following:

- a) to gather, through the Presidents of the Conferences or at least through the provincial ministers and custodes, the topics proposed by the General Council and the brothers of the Order;
- b) to set up the schedule of the Chapter and propose the best methods for its work;
- c) if necessary, and for a specific purpose, it can entrust some particular work to other pre-chapter commissions;
- d) to guarantee continuity in the work to be carried out, the Commission chooses three of its members and proposes them to the Chapter as consultants for the Council of the Presidency.

### ***The Agenda and Organizational Structure of the Chapter***

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Art. 52

§ 1. About twelve months prior to the Chapter, the General Minister shall meet with the Preparatory Commission to outline what preparatory work has been done, and to set up what matters are to be treated at the Chapter as well as its organizational structure.



§ 2. This work, together with an explanatory summary of each topic to be submitted to the Chapter, should be approved by the General Minister with the consent of his Council and received by all the capitular brothers, three months before the Chapter if possible, so that everyone can carefully consider the items and consult the brothers about them in accordance with Const. 125, 1.

## **Chapter II: The Beginning of the Chapter**

### ***What to Wear***

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*Art. 53* In the Chapter all shall wear our traditional habit, unless for a reasonable cause it appears opportune to do otherwise.

### ***The Opening of the Chapter***

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*Art. 54* At the appointed hour, with all the Capitulars assembled in the Hall, the President delivers a brief address suitable for the occasion, and using an appropriate formula declares the General Chapter open.

### ***Roll Call of the Vocals***

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*Art. 55* Then the roll call of the vocals is read by a Capitular appointed for the purpose, to which each answers "*Adsum*".

### ***Setting Up of Groups***

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*Art. 56* The President then allows an appropriate period of time for the formation of the Chapter groups mentioned in art. 29.

*Art. 57*

§ 1. The each group meets in order to

- a) elect its president and secretary;
- b) nominate candidates for councilor to the Council of the Presidency and, if necessary, for the moderators of

the sessions and also members of the Chapter commissions.

§ 2. When the elections and nominations have been completed, the names shall be communicated to all the capitular brothers, before the election.

### ***The Appointment of Officials***

*Art. 58* The President of the Chapter, having consulted the presidents of the Chapter groups, determines the day on which the general session will be held. During this general session, following the norms of art. 26:

§ 1. The three provisional tellers are proposed;

§2. The members of the Council of the Presidency are elected;

§ 3. Then, in the same session or the one following, the Chapter proceeds to the approval of the tellers (proposed by the Council of the Presidency and approved by the Chapter (cf. art. 26, §2), to the election of the Chapter Secretary and the moderators and to the approval of the vice secretaries.

§ 4. Then there is the approval and publication of the nominations of experts and other officials;

§ 5. Finally, as it seems necessary to the Chapter, it may proceed to the setting up of some capitular commissions, according to the norms of art. 33 ff.

### ***Observance of Secrecy and Prudent Discretion***

*Art. 59* All who attend the General Chapter or exercise any office within it shall be warned by the President to carry out their duties faithfully and to observe secrecy, especially in what concerns the opinions and votes of individuals. With regard to other Chapter business they are to observe prudent discretion.

## ***Approval of the Agenda and the Organizational Structure***

*Art. 60* Finally, the items prepared according to art. 52, §1, are presented to the Chapter, that is, the agenda and the organizational structure.

## ***The General Minister's Report***

*Art. 61* When all this has been done, if it is an ordinary Chapter, the Minister General reports on the religious and economic state of the Order, after which discussion may be opened, chaired by the moderator.

## **Chapter III: Electoral Session Procedures**

### ***Electoral Sessions***

*Art. 62* On the appointed day and hour, all the vocals, excluding any outsiders, gather in the Chapter Hall, which will have been carefully prepared and equipped with everything necessary for the proper conduct of the elections.

*Art. 63* After the prayers have been said according to the rite, the Chapter Secretary calls the roll of all the vocals in the manner mentioned in art. 55.

*Art. 64* After that, if necessary, the Chapter Secretary explains how the ballots are to be filled in, and how the votes will be counted.

*Art. 65*

§ 1. Then the tellers distribute one ballot to each vocal for each vote that is to be held.

§ 2. To prevent doubts about the validity of votes (for example, if vocals are present with identical names),

everything necessary to avoid confusion should be written on the ballots.

§ 3. When a fitting period of time has elapsed, the tellers place their own vote in the ballot box first and then collect the votes of the vocals.

*Art. 66* If a vocal present in the house where the election is being held happens to be ill, two substitute tellers, designated by the President and approved by the Chapter, go to the sick brother and receive his sealed ballot; if he is unable to write, they may write the name of the candidate indicated by the sick brother on the ballot and show it to him for his approval, and place the sealed ballot paper in the ballot box with the rest of the ballots (can. 167, §2).

*Art. 67*

§ 1. According to norms to be laid down by the Council of the Presidency, the tellers make sure that the ballots correspond to the number of vocals. The votes are then counted under the direct supervision of the Chapter Secretary.

§ 2. The results of the vote, showing the number of votes obtained by each candidate, are tabulated by the Chapter Secretary with the help of the vice secretaries. The final result of the vote is read out to the Chapter in full.

*Art. 68*

§ 1. When all necessary matters have been completed, the Chapter proceeds to the election of the General Minister and General Councilors. The voting takes place in separate secret ballots, observing art. 11, §1 and 2, as follows.

§ 2. The General Minister is elected first. If he is elected from outside the body of the Chapter, the Chapter is suspended until the new General Minister arrives at the Chapter (cf. OGC, 8/12, 1).

§ 3. Once the General Minister has been elected, at a convenient time the Chapter proceeds to the election of the General Councilors (the number of which is established by the Ordinances of the General Chapters). They are elected one at a time, though this does not have to be all in the same session.

§ 4. Finally the General Vicar is elected, who becomes the first Councilor by virtue of his election (Const. 125, 6).

§ 5. For the election of the General Councilors, candidates can be selected and presented by the groups, which may nominate more than one candidate, having regard to diversity of languages and regions, a certain proportionality, and most of all aptitude for fulfilling the office.

§ 6. Councilors elected from outside the Chapter immediately become members of the Chapter (OGC 8/12, 2).

*Art. 69* When the elections are finished and the friars have been called into the Chapter Hall, the Secretary of the Chapter, with all standing, makes a single proclamation of all those elected using a suitable formula.

*Art. 70* § 1. After that, all the ballots are destroyed by the tellers in a convenient way and in the presence of the Chapter Secretary.

§ 2. Then, the minutes and the record of the elections are sealed with the seal of the Order, signed by the President, the Secretary and the tellers (can. 173, § 4), and carefully preserved in the archives.

*Art. 71* Meanwhile, in the Chapter Hall itself, with all standing, the elected General Minister recites the profession of faith, and all the vocals respectfully show him their reverence and obedience.

## Chapter IV: Business Procedures

### *A – General Principles*

#### *Topics*

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##### *Art. 72*

§ 1. In the general sessions only those topics may be debated which have been approved for discussion by the Chapter itself (cf. OGC 8/10, 2).

§ 2. A suitable period of time shall be allowed to the capitulars to carefully consider and discuss each topic, either individually or in the Chapter groups.

#### *Discussion of Texts*

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##### *Art. 73*

§ 1. After the topic has been introduced by a duly designated speaker, the moderator, following a list composed by the Secretary of the Chapter, invites the brothers who have given in their names at least one day before, to speak in turn.

§ 2. In composing the list, preference is given, in general, to speakers who speak in the name of a Chapter group or of a number of brothers, according to the norm of §5 below.

§ 3. Each brother may give his opinion on the proposed topic only, leaving aside all other irrelevant questions. Also, as a rule, he may only speak once on the same topic and for not more than five or ten minutes, as indicated below (cf. art. 79, 2).

§ 4. Should a speaker go beyond the assigned limits regarding subject or time allowed, he should be admonished by the moderator.

§ 5. Each brother may speak in his own name, or in the name of a Chapter group or of several capitulars. It is especially

appropriate that brothers who intend to speak on similar topics should agree among themselves to choose one or a few speakers to speak in the name of all.

§ 6. Brothers who hear from other capitulars the same arguments, reasons, and judgments that they themselves intended to express on the same subject are earnestly requested to renounce their turn to speak.

§ 7. When the list of speakers is completed, the moderator may allow those brothers to speak who asked to do so while the session was in progress.

§ 8. When it clearly appears to a number of capitulars that the topic has been sufficiently debated, or if the debate is going on too long, even though all those listed to speak have not yet done so, the moderator may ask the Chapter whether the debate should be concluded. If an absolute majority of capitulars vote yes, the debate is deemed closed, according to art. 45, §3; otherwise it continues. When the conclusion of a debate has been decided, the speakers who have been excluded may give their written observations and amendments to the Chapter Secretary to be communicated to the competent commission.

### ***Parliamentary Procedure***

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#### **Art. 74**

§ 1. When a point of order is raised, it takes precedence over other questions being treated.

§ 2. If someone wishes to raise a point of order, he indicates this by holding up this *Procedures for Conducting a General Chapter* booklet. The moderator then asks if anyone has something to say on the topic and grants time for such interventions.

§ 3. The proposal may be made either during the discussion or before the vote has taken place. The proposal is put to a vote immediately without any discussion.

§ 4. Having been granted permission to speak, a capitular brother can request:

a) that the plenary session of the Chapter be suspended or postponed;

b) that the topic be referred back to the competent commission or to the Council of the Presidency;

c) that debate on the topic be postponed or suspended;

d) for the topic to be resumed, a relative majority of the votes of the capitulars are sufficient.

§ 5. A capitular brother may disagree with the decision of the moderator concerning a point of order. If the moderator insists on his opinion, the question must be put to a vote.

*Art. 75* When subsequent stages in the discussion of a topic cannot be gone through immediately, they may be deferred to another time. In the meantime, other matters may be examined and debated, in the order laid down by the Council of the Presidency.

*Art. 76*

§ 1. Should the majority of the vocals think it opportune to debate or to put forward a proposal again which has already been definitively approved, they must present a petition signed by one third of the capitulars.

§ 2. In order for the proposals mentioned in §1 to be debated in the Hall, a two-thirds majority vote is required.



## ***Working and Draft Documents***

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### ***Art. 77***

§ 1. Using material gathered from any preparatory commissions, from the suggestions of the capitulars, and from the contributions of experts and any other useful document, the commission prepares the text or working document to submit to the capitulars.

§ 2. This text is translated into the main languages and submitted to the capitulars and experts for study.

§ 3. The working document is then discussed in the groups.

## ***Discussion of Draft Documents***

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### ***Art. 78***

§ 1. Leaving sufficient time for initial debate on the draft and in agreement with the Council of the Presidency, the commission holds a public hearing. Each Chapter group sends at least one representative who brings the comments of the group to the commission and listens to the comments of the other groups. Other capitulars and experts may, if they wish, attend the public hearing and express their own comments. Open debate is recommended.

§ 2. The commission shall also accept written comments from brothers who do not wish to attend the public hearing. It is recommended that brothers who delivered their comments orally send a written summary to the commission.

§ 3. Having examined the observations made at the public hearing, the commission may proceed in one of two ways:

- a) prepare a definitive draft to present for the first vote by the Chapter;
- b) draft a new text to present to the Chapter groups at another public hearing.

§ 4. After it has been translated into the main languages, the definitive draft is given to each capitular and to the experts before being presented to the Chapter. The Council of the Presidency allows at least one day for the examination of this definitive draft by the Chapter groups.

### ***Discussion in the Plenary Session***

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#### **Art. 79**

§ 1. Debate on draft documents in the plenary session takes place at a time decided by the Council of the Presidency, which also determines the period of time for the discussion, depending on the length of the text and the importance of the matter. The average length of time is two hours.

§ 2. A speaker designated by the commission is allotted fifteen minutes to explain the draft.

- Then the delegates from the Chapter groups may speak according to a list drawn up by the Chapter Secretary. Each one may speak for ten minutes.

- Then personal interventions take place according to the list (as above). Each one may speak for five minutes.

§ 3. The speaker designated by the commission or another member of the commission may give a last word on the subject.

### ***The First Vote on Drafts***

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#### **Art. 80**

§ 1. Immediately following these interventions, or at a time decided by the Council of the Presidency, the Chapter takes its first vote on the draft. This vote is conducted using *placet - non placet - placet iuxta modum*. A vote of *placet iuxta modum* means that some alteration to the text is to be made.

§ 2. If the text under discussion receives an absolute majority of *placet* votes, it is considered definitively accepted, and cannot be amended any further.

§ 3. If the *placet* and *placet iuxta modum* votes reach or exceed an absolute majority, the text is considered accepted and passes to the amendment stage.

§ 4. If the *placet* and *placet iuxta modum* votes together do not reach an absolute majority, the text is not accepted and is sent back to the commission to be corrected or replaced by another text. It may also happen, especially when a draft is rejected twice, that a new commission is set up.

§ 5. If the draft is sent to the commission for revision, the commission may call another public hearing.

## ***Amendments***

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### ***Art. 81***

§ 1. An amendment consists in changing, adding or removing words in the text. The text itself may be replaced by a better version as long as its substance is not changed.

§ 2. When many amendments are proposed to the same text, those proposing a new formulation are considered first.

## ***Sub-Amendments***

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### ***Art. 82***

§ 1. A sub-amendment is a modification made to an amendment, that is, a proposal to change, add, or remove certain words in an amendment.

§ 2. A sub-amendment is examined and put to a vote before discussion and voting on the main amendment.

§ 3. A sub-amendment cannot be amended.

## ***The Study of Amendments***

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## *Art. 83*

§ 1. All amendments are to be submitted in writing.

§ 2. A commission shall only accept amendments presented by the majority in a Chapter group (proof of which is the signature of the president of the group), or those signed by one fifth of the capitulars.

§ 3. A commission may ask Chapter groups proposing similar amendments to agree to compose a single text as the amendment.

§ 4. The commission arranges the amendments in the order in which they are to be put to a vote in the Chapter. It cannot reject an amendment unless it is clearly off the subject. It may, however, make improvements in style and grammar.

§ 5. The amendments, translated into different languages and bearing the signature of the Chapter group or of the first signatory, are distributed to the capitulars, who are to be given sufficient time to study them.

### ***Voting on Amendments***

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## *Art. 84*

§ 1. The text is read in the plenary session paragraph by paragraph.

§ 2. Should a paragraph have one or more amendments, these are presented and briefly explained by a member of the Chapter group or by one of those who drafted them.

§ 3. Amendments are not subject to discussion. However, at the request of a Chapter group the Council of the Presidency may propose a free discussion of the amendments for a stated period of time, and the Chapter decides whether or not to do this by a vote. There is no debate on the request itself. Those who speak address the moderator directly. However, the moderator does not take part in the discussion. Should he

wish to take part he should relinquish the role of moderator for the duration of the discussion.

§ 4. The Chapter votes on the amendments using *placet* or *non placet*. If a paragraph has more than one amendment, they are voted on in the order set out by the Secretary, that is, in order of descending importance.

§ 5. If an amendment receives an absolute majority of votes, it is considered part of the text. If it does not receive a majority of votes, the text remains unchanged.

### ***Voting on Sub-Amendments***

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#### ***Art. 85***

§ 1. Before the vote on any amendment, a capitular may propose a sub-amendment orally. If this is seconded by another capitular, debate may begin. All interventions are allowed three minutes.

§ 2. Voting on the sub-amendment then proceeds. If it obtains a majority of votes, the sub-amendment is introduced into the text of the amendment. If it is rejected, the amendment remains unchanged.

§ 3. Then the vote on the amendment takes place, as set out in art. 84, §4 and 5.

### ***Final Votes on Documents***

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#### ***Art. 86***

§ 1. When the voting on all the amendments to a paragraph has been completed, the vote on the entire paragraph is held, using *placet* and *non placet*.

§ 2. When the vote on all the paragraphs has been completed, the definitive vote of the whole text is held, using *placet* and *non placet*.

## Chapter V: The Conclusion of the Chapter

### *Conclusion of the Chapter*

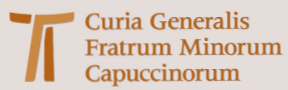
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- Art. 87* When all or most of the main business has been concluded, as time allows, the President, having consulted the members of the Council of the Presidency, presents a motion to close the Chapter, which is put to a vote.
- Art. 88* After the vote the Chapter Secretary announces the result to the capitular brothers, which he then drafts in the form of an official document.
- Art. 89* The decisions of the Chapter are signed by each capitular, sealed with the seal of the Order and preserved in the Archives of the Order.
- Art. 90* The Chapter is concluded with thanksgiving in church.

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