NORMS & CHAPTER REGULATIONS

of the

MARIST PROVINCE

OF WEST AFRICA



Marist Brothers of the Schools (fms)

TABLE OF CONTENT

PART A – PROVINCIAL NORMS

COMMUNITY LIFE 2

APOSTOLIC LIFE 6

THE GOVERNMENT OF COMMUNITY AND OF APOSTOLIC WORKS 6

ADMINISTRATION OF GOODS..... 8

PART B - PROVINCIAL CHAPTER REGULATIONS

FIRST SECTION: ELECTIONS..... 12

1. Definition..... 12

2. Composition..... 12

3. Elections Convocation..... 13

4. Elections: active and passive voice..... 13

5. Elections organization 13

6. Elections of the Chapter Delegates..... 14

7. Counting of votes of the Delegates to the Chapter 14

8. Incidents and renunciation..... 16

9. Presence..... 16

10. Information 17

SECOND SECTION: COMMISSIONS 17

11. Central Committee 17

THIRD SECTION: PARTICULAR RESPONSIBILITIES AND FUNCTIONS WITHIN THE CHAPTER 17

12. Chairman..... 18

13. Moderator..... 18

14. Secretary..... 19

15. Scrutineer..... 20

16. The election of the Moderators and the Secretary..... 20

FOURTH SECTION: THE ASSEMBLY WORK 20

17. Procedure..... 20

18. Moderator Intervention..... 20

19. Votes..... 21

20. Commissions and Communications 21

21. Intervention 21

FIFTH SECTION 22

PROVINCIAL GOVERNMENT: PROVINCIAL COUNCILORS ELECTION 22

22. Provincial Councilors 22

PART A

PROVINCIAL NORMS



COMMUNITY LIFE

1. At the beginning of the school year, each Community will draw up its Community Life Plan before the beginning of the school activities, if possible. To draw it up, it requires sufficient time, someone who coordinates the meetings and a place out of the usual residence, if possible, to help serenity, dialogue and prayer. Dates for the periodical evaluations will be fixed in the Plan. (cf. C. 39.1)

2. The Community will fix dates for the Community meetings. It is advisable to have one community meeting every fortnight. (cf. C. 40.1)

3. The Community assures morning and evening prayer taking into account the traditions of the Congregation, the Constitutions and the Norms of the Church. We daily dedicate enough time to the Rosary or any other Marial prayer. (cf. C. 47.1; 50.2)

4. Daily, we read the Religious Calendar. We draw up an appendix with the dates of the Provincial Foundations, deaths and birthdays of the brothers and affiliated members. (cf. C.50.1)

5. At least once a week, we make a Spiritual Reading in common. This moment will be suitable to read our Marist documents, letters from the Provincial, Church Documents and any other current information. (cf. C. 49.3)

6. The community will choose Saturday or any other day to fast, to have a special Marian prayer or to make a charitable act to obtain from Mary the gift of chastity. This decision will be recorded in the Community Life Plan.

7. In the Community Life Plan, we indicate days and circumstances in which we deprive ourselves of something to share it with people in need: Lenten Campaign against hunger. (C. 32.1)

8. The Community establishes a Social Fund with its own savings and any appropriate donations. This Fund has for its purpose to help the Church and people in need. The Community decides on the distribution of this social Fund. (cf. C. 33.3)

9. The Brothers may have some pocket money for unforeseen expenses. They will ask for this money, as well as any other amount of money needed for travels, courses and clothes from Community Leader, who will give a monthly report of expenditures to the Community Bursar. (cf. C. 33.1)

10. Each Brother can have some personal or professional things available to him. However, it is recommended that we give to the Brother Provincial an inventory of them. This is to avoid excessive independence that isolates and makes troublesome differences within Community Life. (cf. C. 33.10)

11. Each Brother wears simple and discreet clothes with the Marist Cross or the Marist habit. (cf. C. 15.2)

12. Every Brother who is remunerated or shares rights because of his works, will give the rights to the Institute (Province) by means of a written document, a copy of which will be kept in the Provincial office. (cf. C. 33.6; 33.7)

13. When a Brother dies, his body belongs to the Marist Brothers. If a Brother wants to donate his organs, he will do it according to the valid legislation and by means of a written document given to the Provincial. If he wants to be cremated, he will communicate it in writing too.

14. Once a year, the Brothers will have one month of holidays: two weeks in the family and two weeks in any Marist Communities within the country or doing some ongoing formation. Expatriate Brothers or Brothers working in a country other than their own will take two months of holidays every two years. (C 41.2)

14.1 At Christmas time, all Brothers are to be in Community on the 24th and 25th December.

14.2 Brothers can spend 3 or 4 days with their closest relatives either at Christmas or Easter time. To be present in any other family event, they have to seek advice from the Community Leader. (C 41.3)

15. The Provincial, with the consent of his Council, give the permission to travel abroad. (cf. C. 42.1; 136.2)

16. It is convenient that during school holidays, Brothers spend some time updating, doing apostolic or educational activities or any task to serve the Community or the Province.

17. The Brother, at the age of national service, will ordinarily use up all deferments allowed by the legislation. When he is in the national service, he will ask permission to sleep at home or to live in a Marist community. If this is not possible, the Provincial would look for a religious Community to welcome him. If alternatives to the national service are possible, the Brother will discuss this with the Provincial.

18. Time of silence will be respected, especially from night rest till after Morning Prayer (cf. C. 41.1)

19. The Community ought to find the balance between welcoming people and the needs of community life. We are witnesses of consecrated and fraternal life before the ones who visit us. (cf. C. 43.1; 43.2). For visitors staying less than three weeks in the community, the Community Leader approves after discussing with the community members. For a stay that goes beyond three weeks, a written permission to Provincial is required.

20. Communities have a Mass and the Office **for** the Dead said, when a Brother or a Novice of the Province dies. (cf. C. 38.3)

APOSTOLIC LIFE

21. The Provincial Council will encourage and co-ordinate the Champagnat Movement of the Marist Family. (cf. C. 6.1)

22. The Provincial will appoint a Brother to co-ordinate Pastoral activities for each school.

23. In a case of taking up any responsibility in institutions other than ours, for instance appointments at the diocesan level or in schools, the Brother needs the authorisation of the Provincial and his Council.

24. On the date included in the Religious Calendar, we celebrate the Vocations Day in Community and School (Prayer, Eucharist, Reading ...)

25. We celebrate the Day of the Marist Family every year around the Founder's Feast. (cf. C.50.5)

THE GOVERNMENT OF COMMUNITY AND OF APOSTOLIC WORKS

26. The government of Marist community at the local level includes the following: the Leader, the Assistant Leader and the Local Council.

27. The Provincial and his Council, according to the Constitutions, appoint the community Leader. For Marist owned and directed works, the Provincial and his Council name those in major administrative

functions: (Directors, Assistant Directors, Bursars, National Vocation Directors and National Project Coordinators). (cf. C. 146; 146.2; 147.1)

28. The mission of the local Community Leader is to govern the Brothers as religious, to summon his Council and the community, to prepare the order of the day and to chair the meetings.

29. Each Director or Community Leader, along with their Councils, is responsible for the people who work with them under contract.

30. It is the Director or the Community Leader, with their respective Councils, who are responsible for the maintenance and improvement of the properties under their jurisdiction.

31. The Leader represents the Community before the Religious and Church authorities. The Director represents the Marist work before the academic, labour and any other authorities that relate to their work.

32. According to Article 146.2 of the Constitutions, each Community has an Assistant Leader who takes the place of the Leader when he is absent or prevented from fulfilling his role. At the beginning of the canonical year, each community elects the Assistant Leader. In the event where there is a local Council, the Assistant Leader is a member of this Council.

33. For communities where the number of Brothers make it a need to have a Council, a smaller one can be constituted in agreement with the Provincial. (C. 144)

34. The election of Local Councillors whose number will be determined by the Provincial Council for each Community, will be done annually by all the Brothers, in a secret and simultaneous vote and by absolute majority. If there are vacancies after two votes, in the third vote it will be enough to have a simple majority.

In addition to what is pointed out in article 144 of the Statutes for the Local Council, it has the following tasks.

- To admit and dismiss the service staff of the Community.
- To make arrangements for the Community excursions.
- To make the draft budget of the Community.
- To prepare the agenda of the Community meeting.

ADMINISTRATION OF GOODS

35. The annual budget of the Communities, Commissions, Vocations Ministry, schools and other works will be sent to the Provincial Bursar's Office by the end of June every year. The specific date to send the budget will be communicated to those in charge by the Provincial Bursar.

36. It is the task of the Provincial Bursar to verify if every member of the staff is rightfully contracted, in accord with the law. He keeps the documents concerning the

Provincial Works and all necessary documentation which may be required by the State or other Institutions.

37. The Local Bursar controls every income or payment for the Community or works for which he is responsible. It is necessary for every bank account to have, at least, three registered signatures. For example, the Director, the Community Leader and the Bursar. Two signatories will be required to withdraw any amount of money. The Brothers who need a bank account or something similar, should have permission of the Provincial.

38. Each Marist work will be required to have a Management Board that understands planning, maintenance and development. This Board will be formed by the Director of the work as chairman, the Assistant Director, the Bursar, the Pastoral Coordinator and the Community Leader.

39. Projects that are not approved in the annual budget will not be carried out. Before the beginning of a project, the Bursar will present at least two estimates to the corresponding Council for their study and approval.

40. To attend to the urgent needs of their families, the Brothers should go to their Community Leader. For other family needs, they should go to the Provincial.

(Approved by the 1st Provincial Chapter, Accra, August 2021)

• Proposals and approvals:

Proposal of the Provincial Council, Accra, October, 2021.
Approval by the General Council, ..., ...

PART B

PROVINCIAL CHAPTER REGULATIONS



PROVINCIAL CHAPTER REGULATIONS

FIRST SECTION: ELECTIONS

1. Definition

The Provincial Chapter is a representative assembly of the whole Marist Province of West Africa that expresses the participation of all the Brothers in the government, according to the established rules in the Constitutions and Statutes of the Marist Brothers of the Schools. (C. 123)

The Provincial Chapter is the extraordinary authority at the Provincial level.

2. Composition

The Provincial chapter of the Marist Province of West Africa is made up of members by right and of elected members. (C124).

2.1 Members by right are the out-going Provincial, the newly elected Provincial, and the newly elected Provincial Councilors. There may be other ex-officio members, but their number must be less than the number of elected members.

2.2 Twenty percent of the total number of Brothers of the Marist Province of West Africa will be elected as members to the Provincial Chapter. They will be elected by two rounds of votes:

(I) In the first round, Brothers in each country and the temporary professed Brothers in the Marist International Center will elect one member as Delegate to the Chapter.

(ii) In the second round, all the Brothers will vote for the remaining number of elected members from the list of those eligible from across the Province.

2.3 Every country of the Province should be represented in the Chapter. This means that if the elected country's delegate is unable to attend, the Brother who has the second highest vote from that country replaces him at the Provincial Chapter. There should be by-election conducted if there is no brother with second highest vote

3. Elections Convocation

3.1 The Out-going Provincial with his Council, within the delegated powers, will determine the calendar and organize the elections for the Provincial Chapter.

4. Elections: active and passive voice

All professed Brothers of the Marist Province of West Africa are electors and eligible as Delegates to the Chapter, except what is foreseen in the Statutes 97.4

Brothers who are in a canonical process of joining another Institute, exclaustration, expulsion or some irregularities are not eligible as Provincial Chapter Delegates (cf. C.106)

5. Elections organization

5.1. At the proper time, and according to the calendar of elections, the Provincial will send to the communities and to every Brother an alphabetical surnames list of all the eligible Brothers of the Province.

6. Elections of the Chapter Delegates

6.1 The votes for the elections of the Chapter delegates will be direct, secret and personal.

6.2 For the election of the Delegates to the Chapter, each elector will use the list sent by the Provincial. Once the election is done, the elector will enclose his vote in an envelope. The votes will be enclosed in a common envelope that will be signed by all the electors. It will be sealed in their presence. This envelope will carry the writing: "Provincial Chapter Delegates".

6.3 The envelope with the votes will be sent inside another envelope by registered mail or any other mean of transport within the fixed time, to the Provincial who will keep it till the scrutiny of the votes.

6.4 The Brothers who are not assigned to a community of the Province during the election time or those who, being assigned, are absent from the community during the elections, will vote in the same way as the others and will send their votes as individuals or as a group to the Provincial during the same period of time or before if they are far away.

7. Counting of votes of the Delegates to the Chapter

7.1 The counting of the votes will take place at the time and place fixed in the convocation letter. The counting of the votes will be done by a Scrutiny commission formed by the Provincial as the chairman, his council and two Brothers chosen

among the Brothers of the community where the scrutiny takes place. For practical reasons, the Provincial may alter the composition of the scrutiny commission

7.2 They check that all the envelopes are in due form and proceed to count the votes.

7.3 Those votes with amendments or more than the required names will be considered null.

7.4 The envelopes that arrive after the beginning of the scrutiny will not be taken into account.

7.5 In case there is a tie for the last Delegate, the one who is older in profession will be elected.

7.6 At the end of the scrutiny, the secretary of the Council draws up a report that will be signed by all the members of the scrutiny commission. The report will be placed in a file by the secretary of the Provincial Council.

7.7 Once the statement is signed, the ballots and envelopes will be destroyed before adjourning the meeting.

7.8 The Provincial will proclaim as Members of the Chapter, the Brothers with the largest number of votes, as soon as possible. A discretionary number of substitutes will be added to the list, according to the number of votes.

8. Incidents and renunciation

8.1 If any Brother of the Province thinks that there has been an irregularity in the elections, he must expose the fact to the Scrutiny Commission. They will study the request and will bring a resolution.

8.2 If an elected Delegate thinks he must renounce his post, he will report, in writing to the Provincial.

8.3 If an elected Delegate withdraws his name before the constitution of the Chapter, he will be replaced by the first substitute on the list.

8.4 Elected Brothers who resign after the official constitution of the Chapter will not be replaced.

8.5 If an elected Delegate becomes a Chapter member by right, he will not be replaced.

8.6 In the course of the Chapter, if a Brother who is not a Chapter member is elected Provincial Councilor, the President of the Chapter will immediately call him to be incorporated in the Chapter if it is possible to bring him.

9. Presence

9.1 Every Delegate has the obligation to go to the Provincial Chapter. If a Delegate cannot attend the Chapter due to serious reasons, he must send a written letter to the Provincial to ask for exemption.

9.2 At least, two third of the Chapter members should be present to constitute the Chapter and to give validity to the votes.

10. Information

10.1 The Chapter has the obligation to find the means and persons to notify all the Brothers of the Marist Province of West Africa about the information and instructions of the Provincial Chapter.

SECOND SECTION: COMMISSIONS

11. Central Committee

11.1 The Central Committee is formed by: The Chairman, the Moderators and the Secretary of the Chapter.

11.2 The Central Committee's functions are:

- To help the chairman in his functions.
- To re-orient the debates of the Chapter if need be.
- To co-ordinate the work of the study commissions.
- To include in the schedule, the communications sent by any of the Brothers of the Province to the Provincial Chapter.

THIRD SECTION:

PARTICULAR RESPONSIBILITIES AND FUNCTIONS WITHIN THE CHAPTER

In the Chapter, there are people with different responsibilities to help a Provincial Chapter in its functioning.

12. Chairman

12.1 The Provincial is the Chairman of the Provincial Chapter.

12.2 The Chairman does the work of co-ordination and is responsible for the carrying out of the Chapter. He has the following functions:

- To present to the Chapter the motion for the order of the day and the planning of the works for their approval

- To summon the Central Committee as many times as he considers suitable.

- To distribute and coordinate the tasks

- To solve any problems that emerge that do not belong to the Moderator and any other matter that may arise.

- To ask the technical team in charge of different necessary services to join.

13. Moderator

13.1 There will be two moderators. They have the task of leading the Plenary Sessions. They distribute the functions among themselves.

13.2 Moderator functions are:

- To lead discussions.

- To tell who takes the floor when someone asks permission to speak.

- To declare out of order those who speak about a different matter or to call to order those who tend to exceed the time limit.

- To put the different motions to the vote.

- To solve problems as they arise.

14. Secretary

14.1 The Chapter Secretary writes the minutes faithfully.

14.2 After the final session of the Chapter, the Secretary presents the decisions of the Chapter to the Chapter members for their approval.

14.3 The Central Committee delegates to the Provincial, the Secretary and two other nominated Members of the Chapter, the task of approving and signing the final minutes of the Chapter.

14.4 After approval, the Secretary of the Provincial Chapter will send a copy of the approved and signed minutes to each member of the Provincial Chapter and the original to the Provincial Archives.

14.5 The Secretary sends a copy the approved minutes to the Superior General together with the norms of the Province for approval. He also sends a summary to the communities of the Province.

14.6 The Secretary can ask the Chapter to name one or more Assistant Secretaries.

15. Scrutineer

15.1 The Scrutineer are the two youngest Brothers who do not have a function in the Chapter. Their function is covered by their title.

16. The election of the Moderators and the Secretary

16.1 The Moderators and Secretary are elected in succession from among the Chapter members. In case of a tie, the one who is older in profession will be chosen. After the voting for each of these functions, the Chairman will ask for the consent of the Brothers concerned.

FOURTH SECTION: THE ASSEMBLY WORK

17. Procedure

17.1 The debates of the Chapter Assembly will take place according to Parliamentary procedures and the consensus method. The Moderators in turn lead the discussions.

Every appeal against their decisions should be put to the assembly vote and settled immediately.

18. Moderator Intervention

18.1 When during a session, the moderator wants to take the floor in a discussion, he changes turn with the other Moderator. When the discussion finishes, he returns to his function.

19. Votes

19.1 The majority in the various votes depends on the number of Members who are present.

19.2 The votes can be secret or by the holding up the hands.

19.3 The general voting requires absolute majority, either by holding up hands or by secret votes.

19.4 To settle the number of Provincial Councilors and elect them require two third of the votes.

19.5 The vote will be secret when a Chapter Member asks for it.

19.6 Once a matter is voted, the debate stops unless two thirds of the assembly asks for a revision of the vote.

20. Commissions and Communications

20.1 The Provincial Chapter can create Study Commissions, if need be, to prepare the corresponding subjects it accepted and will appoint their chairmen.

20.2 Any Brother of the Province can send to the Chairman, in a written form, those topics he thinks important to be studied by the Chapter.

21. Intervention

21.1 Every Delegate to the Chapter has the right to take the floor in the Assembly. Each spoken intervention will not last more than three minutes.

21.2 When a Chapter member speaks about a determined matter, he is not allowed to speak again till all the Members who want to speak have done so. The speaker has the right to answer if he thinks it is necessary to do so.

FIFTH SECTION:

PROVINCIAL GOVERNMENT: PROVINCIAL COUNCILORS ELECTION.

22. Provincial Councilors

22.1 The number of Provincial Councilors is four.

22.2 The Provincial Councilors will be elected at random one by one.

22.3 They are elected when they have two thirds of the votes in the first or second votes. An absolute majority suffices in the following votes. When there is a tie, only the candidates with the same number of votes go for another turn. In this case, a simple majority is enough. The vote is always secret.

Approved by the Provincial Chapter:
Accra, 9 – 13 August, 2021

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