

HAMILTON

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DIOCESE

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Particular Law:

Granting Faculty to all Pastors of a Parish in the Diocese of Hamilton.

The Church expects that when a Catholic decides to marry another Christian they will observe Catholic Form (c.1117) and celebrate the marriage in the Parish Church. The Law already allows the Pastor or Local Ordinary to permit the wedding in another church operated by the parish. Should a Catholic marry a non baptised person, then the Law itself permits that wedding to take place in either the Parish Church or another suitable place. (c.1118) The same law does not allow the Catholic marrying another Christian to marry in another suitable place without the permission of the Local Ordinary.

The NZCBC in September 2000 decreed that couples "have a right to apply for their marriage to be celebrated outside a sacred place" and that "Only the Local Ordinary can refuse the request". This decree that all requests, even if the celebrant objects must be acquiesced to unless the Local Ordinary refuses to permit the request. This is not the intent of the Bishop of Hamilton, especially since NZ diocesan priests enjoy faculties to assist a wedding anywhere in NZ.

Consequently: In the Diocese of Hamilton priests who are Pastors of parishes within the Diocese of Hamilton are granted the faculty, normally reserved to the Local Ordinary, to permit a marriage to be celebrated in another "suitable place" as expressed in c.1118 §2.

The Faculty is subject to the following conditions:

1. The wedding is celebrated in the Diocese of Hamilton.
2. The couple are prepared for marriage within the Diocese of Hamilton.
3. The Celebrant himself must be willing to assist at the proposed location.
4. The Pastor who gives permission can be the Pastor of the place of the wedding, or of the couple.
5. If the wedding is Inter-parish, then the two Pastors should consult each other.
6. If the wedding is Inter-Diocesan, then permission must be sought from the Local Ordinary, who will consult the other diocese.
7. The granted permission is to be noted at the bottom of the appropriate (buff) form.

Unsuitable places: *Permission must not be given by a Pastor when the proposed place is:*

- High Traffic Public Places (eg Garden Place, Hamilton)
- Public Bars
- Where a large Public Activity is happening concurrently. Eg "Between the flags".
- Non Christian Worship Space. Eg Mormon, Bahai, Hare Krishna, SDA (Tui Ridge).
- Houses of Ill Repute.
- Places forbidden by Civil Law
- Places with no real address
- Places and activities that have an aspect of inherent Risk, eg ZORB Park, Bungee tower, Abseiling etc.

Places most likely suitable (Context is important)

- Marae
- Venues that are relatively private in aspect.
- College Chapels
- Significant Family Land
- Places of Historic Significance

Considerations:

Before permission is sought, and because the default place of marriage is the Parish Church, the celebrant of the wedding, or the Pastor himself is to:

- a) Converse with the couple about using the Parish Church, or sacred buildings in the parish.
- b) Explore reasons for the alternative place.
- c) No cleric is obliged to assist such a wedding,
- d) The pastor is not obliged to give permission.
- e) The Pastor is not to unreasonably refuse such a request when another cleric will be the Celebrant.
- f) If the pastor does not give permission he must make it clear that the couple or cleric may appeal to the Local Ordinary.

Because this is a religious ceremony:

- a) At the venue Alcohol is not to be provided until after the ceremony is concluded.
- b) Suitable attire, reflecting the religious nature of the ceremony, is to be worn.
- c) If the venue is outside an alternative suitable venue is to be provided for inclement weather.
- d) All venues must be the same as recorded in the Civil License.

This Law is to be Promulgated by sending to the Pastors of the Parish. It will come into effect by 31 July 2012. *It is to be published on the Website of the diocese. Copies are to be kept with each pastor's faculty sheet.*

Given this 12 July 2012.

(Duly Signed by Bishop Denis etc)