

POLICY 3.2.2 Obligations of a Diocese to its Retired Priests

CC 281, #2 spells out the overall principle:

#2. Suitable provision is likewise to be made for such social welfare as (clerics) may need in infirmity, sickness or old age.

CC 538, #3 spells out what a Diocese owes its retired priests. It reads in full:

#3. When a pastor has completed his seventy-fifth year of age he is asked to submit his resignation from office to the diocesan bishop, who, after considering all the circumstances of person and place, is to decide whether to accept or defer the resignation; the diocesan bishop, taking into account the norms determined by the conference of bishops, is to provide for the suitable support and housing of the resigned pastor.

An excerpt from the Commentary of the CLSA follows:

When retirement occurs, the diocesan bishop must provide suitable room and board for the priest.... Holistic needs of retired priests should be taken into consideration. In countries where social security may be lacking, programs of adequate remuneration and health assistance may need to be drawn up by the conferences of bishops....

Decree No. 31 from the Complementary Norms to the 1983 Code of Canon Law reads:

In accordance with the prescriptions of c. 538, #3, and the provisions of c.281, #2, the CCCB hereby decrees that, taking into account the principles of natural justice and equity, as well as the traditions and circumstances of each diocese:

1. Each diocesan bishop shall see to it that a specific and funded plan is established to provide adequate support and accommodation for all retired priests incardinated in his diocese; available Government pension programmes, public pension plans, and other social benefit programmes shall be taken into account.
2. Each diocesan bishop shall also see to it that priests incardinated in the diocese who become incapacitated before the regular retirement age, will receive sufficient assistance to provide for adequate support and accommodation, taking into account any social assistance programmes to which they may be entitled.
3. The administration and verification of the adequacy of these retirement and disability funds shall be entrusted to persons who are recognized as being truly competent in the field.

*This decree is effective January 1, 1989.
(Official document No. 599; 28-06-88)*

COMMENTARY to Decree 31. (relevant excerpts)

1. This decree...leaves to each bishop the choice of the most appropriate means whereby to further the purpose of the law....
2. The decree applies directly to priests incardinated in the diocese, whether actually working there or elsewhere. In particular cases, however, suitable alternative provisions could be made, as, for instance, when a priest is engaged in a ministry where suitable employment benefit plans are already in place.
3.

Observations

1. The diocesan bishop's need to be fully apprized of the social benefits accruing to retired priests is clear from the foregoing. His obligation to assure "adequate support" through supplementary funds supplied by the diocese is conditioned by any other "social programmes to which he might be entitled". The need for full disclosure is self-evident in this area.
2. Decree 31. overlooks (or intentionally leaves out?) the possibility of the retired priest having alternative sources of income (inheritance, retirement benefits from previous employer, personal investments and/or insurance policies, etc.) The spirit of the Code would suggest that these sources ought also to be fully disclosed to the diocesan bishop, as the obligation of the bishop is to eliminate inadequacy, not to create superfluity. Is this obvious, or should a canon lawyer be consulted?
3. The question of adequacy is conditioned by the requirements of the retired priest, according to state of health, infirmity, and other relevant contingencies. In the end, it is the bishop's duty in all particular cases to determine what constitutes "suitable room and board", all things considered.
4. A rule of thumb might be that retired priests should in principle receive a combination of benefits and funds, from all sources, which would afford a life-style roughly equivalent to that which the benefits and stipend of an active priest provide.