

## VERAPOLY

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# NOTIFICATION-5 <br> TRANSFERS AND APPOINTMENTS - 2015 

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## CASUS

## MARCH 2015

Baptism is necessary for salvation 'either by actual reception or at least by desire'. This has been the constant teaching of the Church. It should be noted, however, that baptism of desire, although it suffices for salvation and does produce a special bond with the Church (see Can. 206), does not produce the juridical effects of actual reception of the sacrament. Because baptism has serious juridical consequences, its proof is a matter of distinct importance. Ordinarily, proof will be by means of an authentic copy of the entry in the baptismal register.

1. If an Oriental non-catholic were to be received into the Latin Church, would he/she belong to the Latin rite?

If an Oriental Non-Catholic were to be received in to the Catholic Church, he/she would still belong to the Oriental rite.
2. If an Oriental Catholic wants to become a Latin Catholic what is the procedure to be followed? (Can. 111).

If a child has not completed the fourteenth year old age, Canon $111, \S 1$ provides for three situations:
a) If both parents belong to the Latin Church, the child too automatically belongs to the Latin Church at baptism. This principle would apply even if a different liturgical rite, such as Syro-Malabar or Syro-Malankara, was used.
b) If only one parent belongs to the Latin Church the child would also belong to the Latin Church provided both the parents agree.
c) If only one parent belongs to the Latin rite and the parents do not agree, then the child becomes a member of the ritual Church to which the father belongs.

If a child has completed fourteen years of age, Canon 111, $\S 2$ permits him/her to freely choose to be baptized either in the Latin Church or in another autonomous ritual Church.

Besides this, after the reception of baptism, the following become members of another autonomous ritual Church (Canon 112, $\S 1$ ):
a). those who have obtained permission from the Apostolic See; this permission can be presumed if a member of the faithful of an autonomous ritual Church requests a transfer to another autonomous ritual Church which has an eparchy within the same territory, provided that the Diocesan Bishops of both dioceses consent to this in writing. This personal dual consent of the Diocesan Bishops concerned is required for the validity of such a transfer:
b) a spouse who, on entering marriage or during its course, has declared that he/she is transferring to the autonomous ritual church of the other spouse; such a declaration may be made either at the time the parties enter into marriage or at any stage during it. This declaration is made either before the Local Ordinary, the Parish Priest or a priest or deacon delegated by either of them in the presence of two witnesses. On the dissolution of the marriage, whether by death or by papal dispensation, that person may freely return to the Latin Church (For the eastern catholic churches, however, a wife, and not the husband, is at liberty to transfer to the Church of the husband at the celebration of or during the marriage; when the marriage has ended, she can freely return to the autonomous ritual Church to which she belonged, cf. CCEO 33).
c). the children of those mentioned in numbers 1 and 2 who have not completed their $14^{\text {h }}$ year and likewise in a mixed marriage
the children of a catholic party who has lawfully transferred to another ritual Church; on completion of their $14^{\text {th }}$ year, however, they may return to the Latin Church. (The practice, however prolonged, of receiving the sacraments according to the rite of another ritual Church sui iuris does not entail enrollment in that Church [Canon 112, §2]).

## 3. Suppose one parent belongs to the Latin rite and the other belongs to the Oriental rite, If both parents agree, can the child be baptized and enrolled in the Oriental Church?

If one parent belongs to the Latin rite and the other belongs to the Oriental rite, even if both parents agree, the child cannot be baptized and enrolled in the oriental Church. Canon 111, $\S 1$ does not allow it. If both agree, it must be the Latin Church.
4. What is to be done if a person claims to be a Catholic but cannot obtain the Baptism Certificate?

If the person was baptized as an adult and his/her credibility cannot be doubted, his/her sworn statement that he/she was baptized would suffice (Canon 876).

If the person concerned was baptized as an infant, the sworn testimony of the father or the mother or of an eye-witness would suffice, provided that their credibility cannot be doubted (Canon 875).

If the person claims to be a Catholic but the fact of baptism cannot be established with certainty, the person should be baptized conditionally and the baptism should be registered in the baptism register of the parish with a remark that the person concerned was baptized conditionally because the proof of baptism was not available.
5. Can an illegitimate child be baptized? If so, what is to be done when recording the baptism of such a child? (Canon 877)

It is to be noted, in the first place, that there is no law forbidding the baptism of illegitimate children. If there is moral certainty that the child will be brought up as a Catholic, the child can be baptized if one of the parents requests this. The mother's name is normally to be entered besides the other details. The father's name should not be entered unless he consents to have his name entered. If, however, the father's name has been entered in the Corporation/Panchayath/Hospital Records, it can be entered in the Baptism Register even without the father's consent.
6. What is to be done when making a baptismal entry of an adopted child?

The CCBI has decreed that in the case of baptism of an adopted child, the names of the adopting parents are to be recorded in the Baptism Register. The names of the natural parents may be recorded if the adopting parents so desire and the natural parents have no objection (while registering the names of the adopting parents it must be recorded that they are adopting parents).
7. Can a person who is not present at the time of baptism be a sponsor by proxy?

Yes, it is possible for a person who is not present at the time of baptism to be a sponsor provided that the person concerned has consented and given in writing that he/she is willing to be a sponsor.

## 8. Can a non-Catholic baptized person be a sponsor for baptism?

No. The role of sponsor is, together with the parents, to present the child for baptism and to help in the faithful fulfillment of the duties inherent in baptism, thus helping the child to live a Christian life. Canon 874 clearly states that only a Catholic who has been confirmed and has received the Eucharist and who lives the life of faith which befits the role to be undertaken can be a sponsor for baptism (cf. CCEO 685, §3 for Orientals).

A baptized person who belongs to a non-Catholic ecclesial community may be admitted only in company with a Catholic sponsor, and then simply as a witness to the baptism. However, a member of an Eastern Orthodox Church can be allowed to act as a sponsor together with a Catholic Sponsor at the baptism of a Catholic infant or adult so long as there is provision for the Catholic Education of the person being baptized, and it is clear that the sponsor is a suitable one.

