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The Constitution of the First Order

Preamble

- 1:1 *Authority*
The Constitution of the First Order Brothers and Sisters of the Society of Saint Francis shall govern the life and work of the brothers and sisters of the First Order.
- 1:2 The Constitution, which is drawn up by and has the authority of the Chapters of the First Order Brothers and Sisters, is to be read in conjunction with The Constitution of the Society of Saint Francis and The Statutes of each Province of the First Order.
- 1:3 *Aims*
The aims and objects of the First Order are set out in *The Principles of the First Order*.
- 1:4 *Application to Individual Members*
Wherever reference is made throughout this document to either a Chapter or an officer, it shall be understood to refer to the First Order Community of the brothers or the sisters respectively and have application to the Community to which each individual member belongs.
- 1:5 The obligations of each member are set out in *The Rule of the First Order*.
- 1:6 *Abbreviations*
Throughout this document, the following abbreviations shall be used for the respective full title:
- a) *Community* for either the Brothers of the First Order (SSF) or the Sisters of the First Order (CSF);
 - b) *Principles* for the Principles of the First Order;
 - c) *Constitution* for the Constitution of the First Order;
 - d) *Statutes* for the Provincial Statutes;
 - e) *Chapter* for the Chapter of either the Brothers or the Sisters of the First Order;
 - f) *Joint meeting* for a meeting together of the Brothers' Chapter and the Sisters' Chapter or of the Ministers' Meeting;
 - g) *Protector General* for the Bishop Protector General;
 - h) *Protector* for the Provincial Bishop Protector;
 - i) *Minister General* for the Minister General of the First Order;

- j) *Minister* for Minister General and/or Minister Provincial;
- k) *Deputy Minister* for Deputy Minister General and/or Deputy Minister Provincial;
- l) *Assistant Minister* for Assistant Minister General and/or Assistant Minister Provincial;
- m) *General Secretary* for the General Secretary of the First Order;
- n) *Novice Guardian* for the Provincial Novice Guardian;
- o) *house* for a friary, a convent, a joint house or a branch house;
- p) *head of house* for a Guardian, a Brother-in-Charge, a Sister-in-Charge or, in their absence, their Assistant;
- q) *member* for either a brother or a sister in the First Order, unless the reference specifies otherwise;
- r) *Advisory Council* for any Advisory Council for Religious Communities in an ecclesiastical Province where the Community is working, or one to which the Statutes specifically refer;
- s) *Directory* for the book in which the counsel of the Advisory Council is regulated.

1:7 All references are to the First Order, unless otherwise stated.

Structure of the First Order

Chapter

- 2:1 *Legislature*
The Brothers and the Sisters each have their own Chapter, which is the executive and legislative body in each case. To its decisions the obedience of all members of the Community is required. The following provisions shall apply to each Chapter.
- 2:2 *Membership*
The Chapter shall consist of the Minister General, the Ministers Provincial and two members elected from each Provincial Chapter by the professed members of each Province. The Minister General may invite Deputy Ministers to be present. The General Secretary shall be in attendance.
- 2:3 *Elected Representatives*
The General Secretary shall be responsible for seeing that the election of the members of the Chapter shall be completed at least three months before each regular meeting takes place. The elected representatives shall be specifically elected for each regular meeting of the Chapter and continue as members until the declaration of the result of the election preceding the next regular meeting.
- 2:4 *Frequency*
Regular meetings of the Chapter shall be held every three years. The Minister General may call an extraordinary meeting of the Chapter, on which occasion those elected to the previous regular meeting shall be deemed representatives at the extraordinary meeting.
- 2:5 *Notice of Meeting and Agenda*
The General Secretary shall be responsible for giving notice of Chapter meetings.
Six months prior to the Chapter meeting, the General Secretary shall send a provisional agenda to all houses in order to invite comment. All matters for the final agenda shall be sent to the General Secretary not less than three months before the Chapter meeting. The General Secretary shall send a final agenda to all Chapter members and to all houses not less than two months before the Chapter meeting.

2:6 *Chapter Business*

The business of the Chapter shall include:

- a) the election of the Protector General;
- b) legislation;
- c) changes of internal and external policy;
- d) discussion of senior appointments and removals;
- e) assistance to Provinces;
- f) amalgamation of Societies;
- g) ecumenical matters affecting the First Order.

2:7 *Decision-making Process* (See also ¶ 34)

The Chapter shall bear in mind that any legislative alteration should guard with jealous care the spirit of *The Principles*. When some considerable divergence of opinion exists on an important question, a decision shall not be reached hurriedly. A majority shall not be allowed to suffice until, through prayer for God's guidance and a careful co-ordination of the various opinions, a serious endeavour has been made to arrive at a common mind. The same care for the common mind shall be observed by the Provincial Chapters of the First Order.

2:8 Any legislative business introduced at the Chapters which has not already been approved by the Provincial Chapters shall, if approved by the Chapters, be returned to the Provincial Chapters for ratification. Any decisions arising from matters not appearing on the final agenda shall be referred to the Provincial Chapters before final adoption.

2:9 *Minutes*

The General Secretary shall keep the records of the Chapter, record its proceedings and shall distribute the minutes to the following:

- a) all professed brothers and sisters in the First Order;
- b) the representative of the Second Order;
- c) the Minister General of the Third Order;
- d) the Protector General.

2:10 *Ministers' Meeting*

In the interval between regular meetings of the Chapter, the Minister General and the Ministers Provincial shall meet at least once. The Minister General may invite Deputy Ministers to be present.

This Ministers' Meeting shall include the function of serving as a Standing Committee of the Chapter in Constitutional and other matters. The General Secretary shall be in attendance.

2:11 *Ministers' Meeting Minutes*

The General Secretary shall record the minutes, distribute them to members of the Chapter and to every professed member.

2:12 *Joint Meeting*

Joint meetings of the Brothers' Chapter and the Sisters' Chapter and of the Ministers' Meetings shall be held in order to facilitate unity and common policy within the First Order. The Ministers General shall preside at alternate sessions of a joint meeting. The General Secretaries shall record the minutes at alternate sessions and publish a unified record of the proceedings.

Provinces

- 3:1 *Distribution of Community Works*
The works of the First Order shall be distributed among the Provinces. New work shall be allocated to a specific Province, although it may be under the supervision of the Minister's Meeting.
- 3:2 *Provincial Chapter*
A Provincial Chapter shall be elected by the professed members in accordance with the Statutes and shall meet at least once a year.
- 3:3 *New Provinces*
A joint meeting of the Chapters shall be responsible for the creation of any new Provinces.
- 3:4
When a new Province is established, the Minister General shall preside at a provisional Provincial Chapter consisting of all the life professed members in the new Province. This Provincial Chapter shall have as its first business the drafting of Provincial Statutes, and the election of a Minister Provincial, and the arrangements for the election of a Provincial Chapter at the earliest convenient time.

Regions

- 4:1
When a semi-autonomous Region within an already existing Province is established, the Minister Provincial shall preside at a provisional Regional Chapter consisting of all the life professed members in the new Region. This Regional Chapter shall have as its first business the drafting of provisional Regional Statutes, the nomination of a Deputy Minister and the arrangements for the election of a Regional Chapter at the earliest convenient time. The Provincial Chapter needs to ratify the Regional Statutes and to appoint the Deputy Minister.
- 4:2
When a First Order Chapter decides that a semi-autonomous Region shall become a Province, ¶ 3:4 applies.

Bishops Protector

Provincial Bishops Protector

- 5:1
After consultation among the Ministers Provincial of the First Order Brothers and Sisters, the Abbess or Sister in Charge of the Second Order and the Minister Provincial of the Third Order in the Province, each First Order Provincial Chapter shall elect, by a majority vote, a Bishop Protector who shall normally be a diocesan bishop and who shall exercise a general oversight of the First Order in the Province.
- 5:2
The Protector shall be concerned particularly with admissions to membership of aspirants not in communion with the See of Canterbury; admission to life profession; release from membership; and the election, suspension, resignation and removal from office of the Minister Provincial.
- 5:3
The Protector, of right, may address the Provincial Chapter and any General Chapter of the Province.
- 5:4
The term of office of the Protector shall be six years and it may be renewed according to the Provincial Statutes.
- 5:5
A Provincial Chapter may ask the Protector to appoint another bishop to act as Deputy Protector in a prescribed area.

Protector General

- 6:1
From among the Protectors, and after consultation with the Second Order and the Third Order of the Society, a joint meeting of the Chapters shall elect a Protector General of the whole Society.
- 6:2
The Protector General shall hold office for six years and may be re-elected for successive terms of six years, provided that the bishop remains the Protector of a Province. In the event of retirement as the Protector of a Province, the Protector General shall be deemed to have retired and a vacancy shall be declared for the office of Protector General.
- 6:3
The Protector General, of right, may address the Chapter.
- 6:4
The Protector General shall be concerned particularly with the election, suspension, resignation and removal from office of the Ministers General and with any alteration to *The Rule*.

Members' Consultation with Protector

- 7:1 Any member of the First Order who desires to raise a matter concerning personal vocation or the well-being of the First Order may consult the Protector, after giving notice to the Minister Provincial.

Officers' Consultation with Protectors

- 8:1 Any officer of the First Order may ask the advice of the Protector or the Protector General on any matter. Such advice shall not be accounted a ruling.

Chapters' Consultation with Protectors

- 9:1 A ruling may be sought from the Protector or the Protector General as a constitutional means of settling a dispute that is dividing the Chapter or a Provincial Chapter. The request for such a ruling shall come from the Chapter or the Provincial Chapter concerned and not from a Minister acting alone.

Officers of the First Order

Minister General

- 10:1 The Minister General of the Brothers of the First Order directs the life of the brothers of the First Order. The Minister General of the Sisters of the First Order directs the life of the sisters of the First Order.
- 10:2 *Eligibility for Election*
All members in life profession in the First Order and who are not on Leave of Absence or in Exclaustration shall be eligible for election.
- 10:3 *Period of Service*
The Minister General shall be elected for a period of six years.
- 10:4 The Minister General may be re-elected for one further term of four years. After that, the member shall not be eligible for election as Minister General for five years and shall return to ordinary seniority in the Community.
- 10:5 *Timing of Election*
The timetable for the election and the assumption of office shall be determined by the Chapter.
- 10:6 The election shall normally commence six months prior to the date of the termination of the Minister General's term of office or immediately after the office becomes vacant due to resignation, incapacity or death. The election shall be begun and completed within a period of six months.
- 10:7 Election to the office shall normally take place in two stages.
- 10:8 *First Round of Voting*
In the primary stage, each First Order Provincial Chapter shall make its own provision for the General Secretary to receive three nominations. After adequate opportunity for discussion by all members, the right to make nominations is restricted to members in profession. These nominations shall constitute the candidates for the office of Minister General.
- 10:9 *Second Round of Voting*
For the remainder of the election, the Protector General shall preside, assisted by the General Secretary.

- 10:10 The General Secretary shall send out voting papers, listing the candidates alphabetically, together with the total of the votes received from the Provinces by each candidate and a brief biography of the candidate's life in the Community.
- 10:11 The electorate shall consist of members in life profession.
- 10:12 Each elector shall cast a vote for one of the candidates. A count of more than half of the valid votes cast shall suffice for election.
- 10:13 *Possible Further Rounds of Voting*
Where the result of the second ballot is inconclusive, the Protector General shall declare the names of the three candidates who have received the highest number of votes, including ties. The General Secretary shall list these candidates alphabetically, together with the total of the votes received by each, and send out voting papers for a third ballot.
- 10:14 If this third ballot is inconclusive, the Protector General shall declare the names of the two candidates who have received the highest number of votes and a final ballot shall take place. In the event of a tie, the Protector General shall have a casting vote.
- 10:15 *Qualifications*
The election of the Minister General shall require the ratification of the Protector General.
The Minister General shall not hold office as a Minister Provincial.
- 10:16 *Inter-Provincial Duties*
The Minister General is a unifying influence in the Community and shall spend an adequate proportion of time in each Province, so as to know the members, conditions and work, and also to make needs and hopes known to the other Provinces of the First Order.
- 10:17 *'Guardian of the Rule'*
The Minister General is guardian of the Rule and customs of the First Order and is responsible for seeing that the decisions of the Chapter are carried out.
- 10:18 *Transfer of Members*
In consultation with the Ministers Provincial, the Minister General shall arrange any necessary transfers of members between Provinces, but their actual placing in the Province is the responsibility of the Minister Provincial who receives them.

- 10:19 *Rôle on Chapter*
The Minister General is a member of the Chapter, shall preside and shall have a casting vote.
- 10:20 *Rôle on Provincial Chapter*
The Minister General is a member of each Provincial Chapter of the First Order and when present has a vote, but does not take the chair or have a casting vote, which duties belong to the Minister Provincial.
- 10:21 *Resignation*
The Resignation of the Minister General may be accepted by the Chapter, with the consent of the Protector General, at any time.
- 10:22 *Removal or Suspension from Office*
Removal or suspension from the office of Minister General shall be for incapacity or other grave cause and shall be effected by the vote of three quarters of the Chapter in a full referendum of its members, acting under the authority of the Protector General. Such removal or suspension from office shall require the ratification of the Protector General.

Minister Provincial

- 11:1 The Minister Provincial of the Brothers of the First Order directs the life of the brothers of the First Order in the Province. The Minister Provincial of the Sisters of the First Order directs the life of the sisters of the First Order in the Province.
- 11:2 *Election*
The Minister Provincial shall be elected according to the Statutes.
- 11:3 *Presiding Officer*
The Protector, or a nominee of the Protector, shall preside at the election.
- 11:4 *Period of Service*
The Minister Provincial shall be elected for a term or terms determined by the Provincial Statutes.
- 11:5 *Eligibility for Election*
All members in life profession in the First Order and who are not on Leave of Absence or in Exclaustration shall be eligible for election.
- 11:6 *Timing of Election*
The timetable for the election and the assumption of office shall be determined by the Provincial Chapter.
- 11:7 *Provincial Rôle*
Within a Province, the Minister Provincial shall preside and have authority even in the presence of the Minister General. The Minister Provincial shall take the chair at meetings of the Provincial General Chapter and the Provincial Chapter and shall have a casting vote.
- 11:8 *Duties*
The Minister Provincial accepts aspirants, receives postulants, admits novices and supervises their training and receives vows at first profession; or delegates another member to do any of these things.
- 11:9 *Transference*
A Minister Provincial may be transferred by the Minister General as needed, with the approval of two-thirds of the Provincial Chapter of that Minister Provincial's Province.
- 11:10 *Resignation*
The resignation of the Minister Provincial may be accepted by the

Provincial Chapter, with the consent of the Minister General and the Protector, at any time.

- 11:11 *Removal or Suspension from Office*
Removal or suspension from the office of Minister Provincial shall be for incapacity or other grave cause and shall be effected by the vote of three quarters of the Provincial Chapter in a full referendum of its members, acting under the authority of the Minister General. Such removal or suspension shall require the ratification of the Minister General, the Chapter and the Protector.

Deputy Minister

- 12:1 *Deputy Minister General*
If the Minister General requires that the responsibility for the life and work of the First Order in a particular area or semi-autonomous Region should be held by a deputy, the Chapter shall be requested to appoint a life professed member of the First Order to the office of Deputy Minister General.
- 12:2 *Deputy Minister Provincial*
If a Minister Provincial requires that the responsibility for the life and work of the First Order in a particular area in the Province should be held by a deputy, the Provincial Chapter shall be requested to appoint a life professed member of the First Order to the office of Deputy Minister Provincial. The consent of the Minister General is required if such an appointment involves a transfer from another Province.
- 12:3 *Duties*
Each Deputy Minister has the authority of the Minister within the designated area. The Deputy Minister may not be put in charge of a new or enlarged area without the authority of the appointing Chapter.
- 12:4 *Termination of Appointment*
The appointment may be terminated at any time by the appointing Chapter and shall terminate automatically when a new Minister takes office.

Assistant Minister

- 13:1 *Appointment*
Each Minister General shall appoint one of the Ministers Provincial to be the Assistant Minister General.
- 13:2 Each Minister Provincial shall appoint a life professed member to be the Assistant Minister Provincial. This appointment shall be subject to ratification by the Provincial Chapter.
- 13:3 *Duties*
The Assistant Minister shall carry out the duties assigned either by the appointing Minister or by any Statutes.
The Assistant Minister may be the holder of another office.
During the absence of the Minister Provincial from the Province, the Assistant Minister Provincial shall act as Minister Provincial. If that officer is also absent, the Minister Provincial shall appoint a member in life profession for the task.
In the event of the appointing Minister's death or resignation, the Assistant Minister shall act as Minister until the election of a successor has been completed. The Assistant Minister shall also act as Minister when the appointing Minister is temporarily incapacitated.
- 13:4 *Termination of Appointment*
The appointment may be terminated at any time by the appointing Minister and shall terminate automatically when a new Minister takes office.

Novice Guardian

- 14:1 Each Minister Provincial, with the approval of the Provincial Chapter, shall appoint a Novice Guardian, whose function and length of term of service shall be regulated in the Statutes.

Secretary

- 15:1 *Appointment*
Each Minister General with the approval of the Chapter, shall appoint a member in life profession as General Secretary. Each Minister Provincial, with the approval of the Provincial Chapter, shall appoint a Provincial Secretary. Those eligible to be appointed as Provincial Secretary and the length of term of service shall be regulated in the Statutes.
- 15:2 *General Secretary's Duties*
The General Secretary shall be responsible for the Archives of the

First Order; and shall carry out the other duties assigned under the Constitution.

- 15:3 *Provincial Secretary's Duties*
The function and duties of the Provincial Secretary shall be regulated in the Statutes.
- 15:4 *Termination of Appointment*
The appointment may be terminated at any time by the appointing Minister, with their Chapter's approval, and shall terminate automatically when a new Minister takes office.

Houses of the First Order

Houses

- 16:1 *Centres of Activity*
Friaries, convents, joint houses and branch houses are the normal centres of life and work within the First Order.
- 16:2 *New Houses*
New houses may be established only at the direction of the Chapter or a Provincial Chapter.
- 16:3 Provided that the new house lies within the boundary of a Province, and does not require staff or other resources from outside the Province, the Minister Provincial and the Provincial Chapter have sufficient authority to act on their own in the matter. However, if either of these conditions is not met the establishment of the projected new house will need the sanction of the Chapter.
- 16:4 If the Minister General proposes to found a new house or new work outside any existing Provincial boundary, the approval of the Chapter is required. Once founded, the Chapter shall assign it to an existing Province, with the approval of the Provincial Chapter concerned, although it may be under the supervision of the Minister General. Such assignment to a Province does not necessarily extend the Provincial boundary unless the Chapter so decides and the Provincial Chapter so agrees.
- 16:5 *Staffing*
The distribution of members between houses and to newly-founded houses within a Province shall be the duty of the Minister Provincial; between Provinces, and for the initial staffing of a new house outside an existing Province, it is that of the Minister General, in consultation with the Ministers Provincial involved.
- 16:6 *Joint Houses*
Legislation to cover the circumstances where sisters and brothers are living in the same house shall be provided in the Statutes.
- 16:7 *Local Chapter*
Each house shall have a Local Chapter whose function shall be defined by the Statutes. The head of house shall preside at its meetings and see that its decisions are carried out.

- 16:8 *Ordering of the Day*
The Statutes and the decisions of a Local Chapter shall make provision for the ordering of the day.

Guardians

- 17:1 Guardians, under the Minister Provincial, shall have charge of other members and direct some part of the work of the First Order. Their custody shall include one or more houses.
- 17:2 The method of election and length of term of service shall be regulated by the Statutes.
- 17:3 Guardians shall ensure that the observance of *The Rule* and the decisions of the Local Chapter are maintained in their custody, and may grant temporary dispensation.

Assistant Guardians

- 18:1 A Guardian may appoint one of the members of the custody to act as an Assistant Guardian, to help in any way directed by the Guardian. In the Guardian's absence, the Assistant Guardian shall be in charge.

Membership of the First Order

Ecclesiastical Allegiance

- 19:1 Members are normally required to be in communion with the See of Canterbury. Any exceptions to this norm shall be the concern of the Protector.

Degrees of Membership

Aspirants

- 20:1 Those seeking admission to the First Order may be accepted as aspirants provided they fulfil the condition regarding ecclesiastical allegiance and are not debarred by any other impediment.

20:2 *Acceptance Authority*

Except for the question of their ecclesiastical allegiance, the acceptance of aspirants and their reception to the degree of postulant shall be solely the responsibility of the Minister Provincial. However, aspirants shall normally have been interviewed by the Minister Provincial, a Guardian and a Novice Guardian.

20:3 *Age Limitations*

Age limits for admission to membership shall be defined in the Statutes.

Postulants

21:1 *Community Life*

Postulants shall share the life of the community, receiving free of charge their board and lodging but not clothing or other necessities unless unable to provide their own.

21:2 *A Rule of Life*

They shall be given a rule of life by the Novice Guardian, but this need not yet be the full *Rule of Life* of the First Order.

21:3 *Duration*

The period of postulancy shall not be less than three months and shall not exceed one year. During or at the end of the allotted time, if postulants do not desire or are not permitted to become novices of the First Order, they shall withdraw and all obligations on either side shall cease.

Novices

22:1 *Admission*

At the Minister Provincial's decision and where postulants are willing, they shall be admitted as novices to a life under *The Rule*.

22:2 *The Manual*

At the admission ceremony, novices shall be given a copy of *The Manual* for their use.

22:3 *Clothing*

Novices shall be given the habit and a cord with a single knot for their use.

22:4 *Name*

At this stage novices shall formally adopt the name by which they will be known in the Community. The choice of name shall require the approval of the Minister Provincial and shall be different from the name of every other member of the Community. A baptismal name may always be retained.

22:5 *Property*

Novices may make use of their private property, including books, only as the head of house or Novice Guardian shall authorise. They shall not dispose of any of their property, whether in the form of cash, monies accruing or goods, unless with the permission of the Minister Provincial. They shall consult with the Minister Provincial concerning the maintenance of any existing insurance schemes to which they may be committed before joining.

22:6 *Duration*

The noviciate shall normally be for three years but never less than two years. Provincial Statutes shall state a maximum length of time for the period of the noviciate.

22:7 *Departure*

During or at the end of the noviciate, novices shall be free to withdraw. The Minister Provincial may dismiss novices at any time. In every such case, and also where they are not elected to first profession, they shall cease thereby to be members of the First Order and shall return the habit and cord and *The Manual*.

First Profession

- 23:1 *Election*
Towards the end of their noviciate, novices shall consult with the Minister Provincial and the Novice Guardian and may then apply to the Provincial Chapter for election to first profession.
- 23:2 The Local Chapters of the houses in which the novices have lived and are known may forward to the Provincial Chapter their views of the novices' suitability for election.
- 23:3 The election shall be by a simple majority of the Provincial Chapter.
- 23:4 *Making of First Profession*
If elected, the novices are thereby granted permission to make their first profession as in the *Formula of Profession* which comprises part of *The Rule*.
- 23:5 At first profession, the elected novices shall make a public declaration of their desire to be wholly given to God for life, and their intention to follow God's call as it becomes clear. In fulfilment of this, they shall then make their vows to live in the Community in obedience, without possessions and in chastity, until God's will for their life is made clear to them and to the Community.
- 23:6 In recognition of this three-fold vow, the professed member shall be given the three-knotted cord.
- 23:7 *Property*
During their period of first profession, the use of their property shall rest under the same conditions as obtained when they were novices.
- 23:8 *Duration*
The length of time spent in first profession shall be such as the Provincial Chapter considers appropriate and necessary for the vocation to be made clear. It shall be for not less than three years. Provincial Statutes shall state a maximum length of time permissible in first vows.
If there is a period of Leave of Absence during first profession, the time on leave is not included in calculating the length of time in profession.
- 23:9 *Departure*
If at any time, during the period of first profession, it becomes

evident, either to the Provincial Chapter or to the individuals themselves, that their vocation is no longer to the Community, they may ask the Provincial Chapter for permission to withdraw or the Provincial Chapter may terminate their membership. In either case, their vows are terminated. They shall resume possession of their property and shall return the habit and cord and *The Manual*, accepting that their membership of the First Order has ceased.

Life Profession

- 24:1 *Election*
Those in first profession shall apply to the Provincial Chapter for election to life profession either at any time towards the end of three years in first profession or at any time thereafter, in accordance with Provincial Statutes.
- 24:2 Any application for life profession shall be acted upon by the Provincial Chapter within twelve months of receipt. The Provincial Chapter shall attempt to reach a common mind and only resort to a vote if a common mind cannot be reached, or if a Provincial Chapter cannot be called together; in which cases the candidates shall be required to obtain two thirds of the valid votes cast in order to achieve election. Failing any part of these conditions, the candidates shall cease to be members of the First Order.
- 24:3 *Receiving of Life Profession*
If elected, and the Protector has given approval, those in first profession shall thereby be granted permission to make their life profession in the *Formula of Life Profession* which comprises part of *The Rule*.
- 24:4 The candidates shall make their vows for life before the Protector, or a proxy appointed by the Protector in consultation with the Minister Provincial.
- 24:5 *Property*
At life profession, members shall renounce all right to personal possession, and none shall have property to call their own. Therefore, they shall dispose of any estate, capital or source of income which they may still possess on coming to life profession and likewise any that they may later inherit. When thus giving away their possessions, they shall consider family and other special claims; and in doing so shall consult the Minister Provincial, without whose express permission the arrangements then made cannot be altered.

Separation from the First Order

Leave of Absence

- 25:1 The Minister Provincial shall be the authority to grant leave of absence. Such leave of absence is subject to ratification in due course by the Provincial Chapter. The process shall be in accordance with the provisions of the Advisory Council.

Exclauration

- 26:1 The process of exclauration shall be at the initiative of either the member concerned or at that of the Minister Provincial and the Provincial Chapter. The process shall be in accordance with the provisions of the Advisory Council.
- 26:2 A member who desires exclauration shall give notice in writing to the Minister Provincial, who shall at once inform all the members of the Provincial Chapter, the Minister General and the Protector.
- 26:3 A vote shall be arranged to be taken in the Provincial Chapter within three months of the receipt of notice from the member. Exclauration shall be granted by a simple majority of the Provincial Chapter. Meanwhile, the member concerned is bound by all obligations as a member of the First Order.

Transference

- 27:1 Life professed Religious seeking transference to or from the First Order shall do so in accordance with the provisions of the Advisory Council.
- 27:2 A Religious seeking admission to the First Order shall be required to spend a probationary period of not less than one year and not more than three years with the First Order, to absorb its ethos and way of life. During this period, the Religious shall live according to *The Rule* of the First Order, but shall have no voting rights within it.
- 27:3 The Minister Provincial shall be the authority for accepting such a candidate, initially. The Provincial Chapter shall be the authority for final reception.
- 27:4 The rights and obligations of a member seeking transference from the First Order shall be in abeyance, and the obligations required by the recipient community shall be in force.

Release

- 28:1 A member who desires release, according to the provisions of the Advisory Council, shall give notice in writing to the Minister Provincial, who shall at once inform all the members of the Provincial Chapter, the Minister General and the Bishop Protector. A vote shall be arranged to be taken within three months of the receipt of notice from the member and a simple majority shall suffice to recommend release.
- 28:2 The release shall be effected when ratified by the Protector and the Minister General.

Secularisation

- 29:1 After the process of release is effected the appropriate ecclesiastical authority, designated by the Statutes, shall normally be asked to issue an *Instrument of Secularisation* declaring the former member to be no longer a Religious.
- 29:2 During any period up to the issuing of such an Instrument, the person concerned shall be bound by all obligations as a Religious.

Dismissal

- 30:1 The dismissal of a professed member shall not be contemplated except in the case of continued disobedience to *The Rule*, or of such wilful misconduct as is likely to be the cause of grievous scandal. 'Continued disobedience' shall be understood to be deliberate disobedience continued after at least two specific admonitions by the Minister Provincial.
- 30:2 The decision to dismiss a member under such circumstances shall be effected by the vote of three quarters of the Provincial Chapter in a full referendum of its members, and with the approval of the Minister Provincial. Ratification of the decision by the Minister General and the Protector shall be required. The member shall have a right of appeal to the Protector.
- 30:3 Such dismissal does not abrogate the vows of the Religious. Should secularisation be desired, it shall be in accordance with the provisions made by the Advisory Council (see ¶ 29 above).

Readmission

- 31 When a former member requests to be admitted to the First Order, the usual process of admittance will normally be followed. If the former member was a novice or in first profession at the time of leaving the community, the Minister may re-admit the former member to the noviciate.
- When the former member was in profession and the Minister Provincial thinks that the circumstances warrant an exception, the Minister Provincial shall formally consult the Provincial Chapter, and in the case of a member who was in life profession, the Bishop Protector. If the Provincial Chapter concurs, the former member may apply to be readmitted into first profession, and a simple majority of the Provincial Chapter shall suffice for election.

The Habit of the First Order

- 32:1 A habit, of a similar style and colour, shall be worn by the members of each Community of the First Order.
- 32:2 The material may be varied as conditions in the Provinces require.
- 32:3 The Statutes shall define occasions for wearing the habit.

Property

- 33:1 The brothers and sisters shall desire to have no security resting on earthly possessions but to be wholly dependent on God, relying on faith and prayer.
- 33:2 *Ownership*
The First Order itself shall not normally hold any land, building or capital in its own name but shall, when possible, place all property of which it may have the use into the hands of others.
- 33:3 *Maintenance Requirements*
Households shall not normally accumulate more than is necessary for six months maintenance.
- 33:4 *Central Fund*
The Society of Saint Francis Central Fund is a Trust held by the Protector General and other accredited trustees.
- 33:5 *First Order Development Fund*
The First Order Development Fund is held in trust by the Protector General and other accredited trustees to receive contributions for distribution to the Provinces. The Joint Meeting of Ministers receives requests from Provincial Chapters, and makes recommendations to the Trustees for disbursements from this Fund.
- 33:6 *Provincial Fund*
Each Province may have a central fund for general works to be administered according to Provincial Statutes.
- 33:7 *Exigencies*
Members released from the First Order, and novices and postulants who for any reason proceed no further, cannot of right claim or reclaim anything from the Community for any purpose, but the Minister Provincial shall use discretion in cases of need.

Changes to the Documents of the First Order

- 34:1 *Authority*
A joint meeting of the Chapters, in virtue of their legislative authority, may vary, cancel or add to any part of the *Constitution*, the *Formulae of Profession*, the *Principles* and the *Rule of Life*, or grant temporary dispensation. Such alteration may be brought into force immediately, but only for a specific trial period, until their next meeting. To bring an alteration into force for a specified trial period, a simple majority of the joint meeting of the Chapters shall suffice.
- 34:2 *Trial Period*
After at least three months trial, each Minister Provincial shall collect any comments from the members in the Province, discuss the amended portions in Provincial Chapter in the light of any comments and forward the Provincial Chapter's recommendations to the Ministers General to be considered at the next joint meeting of the Ministers' Meeting. The alterations shall then once again be discussed in the light of the experience gained.
- 34:3 *Ministers' Facilitation*
The Ministers' Meeting, acting as the Standing Committee of the Chapters, may expedite this process and circulate to the Provincial Chapters any new proposals for consideration.
- 34:4 *Method of Adoption*
To ratify and adopt an alteration, it shall be preferable to obtain the agreement of the Chapters and of each Provincial Chapter but in the event of disagreement, it shall be necessary to obtain the agreement of two-thirds of a joint meeting of the Chapters. The final alteration shall require the ratification of the Protector General.

The Rule of the First Order

- 35:1 *The Rule* comprises:
The Principles of the First Order,
The Constitution of the First Order,
The Formulæ of Profession of the First Order
and *The Rule of Life of the First Order;*
together with *The Constitution of the Society of Saint Francis.*
- 35:2 *The Rule* shall be common to all Provinces.
- 35:3 Every member shall have the use of a copy of *The Manual*, which shall include *The Rule.*
- 35:4 Legislation for the reading of *The Principles* shall be provided in the Statutes.
- 35:5 *The Rule of Life* is binding on all members. It may be amplified in the Statutes and in the decisions made by the Local Chapters to meet local needs.
- 35:6 Arrangements shall be made for members to meet and apologise for any breaches of *The Rule of Life* or for any offences committed against the common life since last attending, and for expressing gratitude to one another.
- 35:7 Each Province shall be responsible for drawing up the Statutes which govern the life of the First Order in the Province.
- 35:8 At the Pentecost or regular meeting of the Provincial Chapter, and at the Chapter, there shall be read *The Primitive Rule of Saint Francis of 1210* or *The Rule of Saint Francis of 1223*, and also *The Testament* which Saint Francis desired to be constantly brought before the minds of the Community, saying shortly before his death:

*Let them keep this writing
always before them,
side by side with the Rule:
and in the Chapters, when they read the Rule,
let them read these words also.*

This text was ratified by all the Provincial Chapters of the First Order and was thus formally adopted by the Joint Meeting of the Ministers in October 1997, and includes amendments adopted in 1999, 2001 and 2002.