

# Acts of the Apostolic See

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**Acts of Pope Paul VI****89****TRANSCRIPT OF HEARING****Instructions on the Pontifical Secret**

As to how little it coincides with the nature of men to keep secrets, it is particularly obvious that, while many outward actions need to be taken, it brings us, however, to the origin of these things and to reflection in the depth of one's heart and to mature reflection wisely leading us to them.

To be silent therefore, can indeed be very difficult, just as plainly to speak wisely belong to the perfect man: and in truth there is a time to speak and a time to be silent (cf. *Ecole.* 3, 7) and perfect is the man who knows how to restrain his tongue (cf. *lae.* 3, 2).

Which is the very thing that concerns the Church, which is the community of the believers, and which with them is charged with the task of preaching and giving testimony to the Gospel of Christ (cf. *Me.* 16, 15; *Act.* 10, 42), and therefore with the task of concealing the sacrament and keeping the words in one's heart, in order for the works of God to be manifested properly and widely, so that their meaning may flow and become clear (cf. *i7 Thes.* 3, 1).

Rightly, therefore, those who are committed to serving the People of God are entrusted with keeping those things secret, whether revealed or not revealed at the time, that may hinder the edification of the Church or destroy the common good or, in short, offend the private and community inviolable rights (cf. *Instr. Communio et progressio*, 121).

With one's conscience always under an obligation by all these matters and principally in order to preserve seriously the secret of the discipline of the sacrament of Penance and thereupon the secrets of one's employment or secrets entrusted, of which we speak, beyond the pontifical secret, of which there is explanation in this instruction. It is, therefore, clear, as we deal with public matters which affect the good of the whole community and not just privately, close to the dictates of one's conscience for those who legitimately have the care of the community, it must be established when and for what reason and at what level of seriousness the secret should be prescribed.

And indeed those who are bound by such secret should not consider themselves bound by an almost foreign and external law, but rather by the command of their human dignity: they should truly bring themselves to the honour of preserving properly the secrets for the common good.

However, what pertains to the Roman Curia, transactions which deal with service to the

Universal Church, for those who may obtain secrets by virtue of their employment, by moral obligation or by order of their superiors or by the nature and the time of the matter that needs to be assessed. And, in any case, at grave times more pressing is the need to preserve the secret, which is called *pontifical* that should be always preserved under a heavy obligation. The State Secretariat issued instructions on the pontifical secret on the 24<sup>th</sup> of June 1968; after that in fact the matter was considered by a meeting of the Department of Moderator Cardinals of the Roman Curia, regulation regarding which instructions may be able to be changed, so that, having defined accurately the subject matter and the obligations for each secret, their observance could be appropriately urged. Therefore, these are the regulations, as follows.

#### **ART. 1**

The pontifical secret covers:

- 1) Preparation and compilation of Pontifical Documents, for which secret is required for all forms of expression;
- 2) Information obtained by virtue of one's employment, in observing matters dealt with by the State Secretariat or by the Council for the Public Affairs of the Church, both of which are handled under pontifical secret;
- 3) Indications and declarations of the doctrines and of the writers printed by the Holy Congregation of the Doctrine of the Faith, even when not under direct examination;
- 4) Declarations made outside a lawsuit regarding crimes against the faith and against the customs and regarding crimes perpetrated against the Sacrament of Penance, even without trial or decision, belonging to those declarations, except always the right of those who having been reported to the authorities and in order to find out about the accusation were obliged to see them to prepare their defence. However, it will be allowed at that time to reveal the name of the accuser to the extent that the authority consider it appropriate when the accuser and the accused appear together;
- 5) Reports prepared by Ambassadors of the Holy See regarding matters pertaining to the pontifical secret;
- 6) Information obtained by virtue of one's employment, regarding the creation of Cardinals;

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- 7) Information obtained by virtue of one's employment, regarding the appointment of Bishops, Apostolic Administrators and other Officers who have been granted the rank of bishop, Apostolic Deputies and Prefects and Pontifical Ambassadors as well as the procedures for their appointment;
- 8) Information obtained by virtue of one's employment, regarding the appointment of Major Prelates and Higher Officers of the Roman Curia;
- 9) Anything pertaining to the secret notes ( aka: *Code books*) and text written in the secret notes;
- 10) Matters and lawsuits considered of such seriousness by the Supreme Pontiff, or by Cardinals in charge of any Department and by Ambassadors of the Holy See, as to require the protection of the pontifical secret.

**ART. II**

Those obliged to preserve the pontifical secret are:

- 1) Cardinals, Bishops, Major Prelates, higher and lower Officers, Advisers, Experts and ministers of the lower orders who are charged with dealing with matters that come under the pontifical secret;
- 2) Ambassadors of the Holy See and their assistants who deal with the above mentioned matters, and also all those who are called to provide consultancy on these proceedings;
- 3) All those upon whom the obligation of preserving the pontifical secret is placed because of the special nature of the lawsuit;
- 4) All those who culpably received information on documents and matters covered by the pontifical secret or also, having accepted without blame such information, undoubtedly are aware that they should be concealed hitherto by the pontifical secret.

**ART. III**

- 1) Those who are bound by the pontifical secret are placed under solemn obligation to preserve it forever.
- 2) If there was a breach to external third parties, those accused will be judged by a special Commission made by the Cardinal of the specific department involved and, if required,

by the relevant Office moderator; such Commission will impose appropriate punishment, commensurate with the seriousness of the crime and its attendant damages.

- 3) If those who breach the secret are employed with the Roman Curia, they will incur the punishment provided for in the statutes of the General Regulations.<sup>1</sup>

#### ART. IV

Those who accept the reasons for preserving the pontifical secret must lodge the correct form of swearing as follows:

*I ...*

*appearing before .....*

*on the holy Gospels of God, promise that I will preserve faithfully (the pontifical secret) in all lawsuits and transactions that are dealt on the basis of that secret,<sup>2</sup> and undertake that in no way and for no reason, other than for the greater good, or in cases of the utmost urgency and highest seriousness, will allow myself to breach the aforementioned secret.*

*I promise to preserve the above named secret also after the completion of those lawsuits and transactions for which such secret is expressly prescribed. And if in any particular circumstance I may have doubts as to the obligation to preserve the above named secret, I will decide in favour of preserving such secret.*

*Likewise I am aware that to breach the secret is to commit a serious sin.*

*So help me God, and his Holy Gospels which I touch with my hands.*

These instructions were approved by Paul VI, Supreme Pontiff, on the occasion of the Audience granted on the 4<sup>th</sup> of February 1974 and were ordered to become public law, to come into effect as from the 14<sup>th</sup> of March of the same year, notwithstanding anything that may stand to the contrary.

**Cardinal Jean Villot**  
**Secretary of State**

<sup>1</sup> Cf. *Ibid.* art. 39, paragraph 2, art. 61, No. 5 and art. 65, paragraph 1, No. 3.

<sup>2</sup> For those who are bound by the pontifical secret in special cases:  
*will have to be preserved in the cases entrusted to me.*