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Code of Canon Law

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Art. 3.

IRREGULARITIES AND OTHER IMPEDIMENTS

Can. 1040 Those affected by any impediment, whether perpetual, which is called an irregularity, or simple, are prevented from receiving orders. The only impediments incurred, however, are those contained in the following canons.

Can. 1041 The following are irregular for receiving orders:

- 1/ a person who labors under some form of amentia or other psychic illness due to which, after experts have been consulted, he is judged unqualified to fulfill the ministry properly;
- 2/ a person who has committed the delict of apostasy, heresy, or schism;
- 3/ a person who has attempted marriage, even only civilly, while either impeded personally from entering marriage by a matrimonial bond, sacred orders, or a public perpetual vow of chastity, or with a woman bound by a valid marriage or restricted by the same type of vow;
- 4/ a person who has committed voluntary homicide or procured a completed abortion and all those who positively cooperated in either;
- 5/ a person who has mutilated himself or another gravely and maliciously or who has attempted suicide;
- 6/ a person who has placed an act of orders reserved to those in the order of episcopate or presbyterate while either lacking that order or prohibited from its exercise by some declared or imposed canonical penalty.

Can. 1042 The following are simply impeded from receiving orders:

- 1/ a man who has a wife, unless he is legitimately destined to the permanent diaconate;
- 2/ a person who exercises an office or administration forbidden to clerics according to the norm of

cann. ⇒ 285 and ⇒ 286 for which he must render an account, until he becomes free by having relinquished the office or administration and rendered the account;

3/ a neophyte unless he has been proven sufficiently in the judgment of the ordinary.

Can. 1043 If the Christian faithful are aware of impediments to sacred orders, they are obliged to reveal them to the ordinary or pastor before the ordination.

Can. 1044 §1. The following are irregular for the exercise of orders received:

1/ a person who has received orders illegitimately while affected by an irregularity to receive them;

2/ a person who has committed a delict mentioned in ⇒ can. 1041, n. 2, if the delict is public;

3/ a person who has committed a delict mentioned in ⇒ can. 1041, nn. 3, 4, 5, 6.

§2. The following are impeded from the exercise of orders:

1/ a person who has received orders illegitimately while prevented by an impediment from receiving them;

2/ a person who is affected by dementia or some other psychic illness mentioned in ⇒ can. 1041, n. 1 until the ordinary, after consulting an expert, permits the exercise of the order.

Can. 1045 Ignorance of the irregularities and impediments does not exempt from them.

Can. 1046 Irregularities and impediments are multiplied if they arise from different causes. They are not multiplied, however, if they arise from the repetition of the same cause unless it is a question of the irregularity for voluntary homicide or for having procured a completed abortion.

Can. 1047 §1. Dispensation from all irregularities is reserved to the Apostolic See alone if the fact on which they are based has been brought to the judicial forum.

§2. Dispensation from the following irregularities and impediments to receive orders is also reserved to the Apostolic See:

1/ irregularities from the public delicts mentioned in ⇒ can. 1041, nn. 2 and 3;

2/ the irregularity from the delict mentioned in ⇒ can. 1041, n. 4, whether public or occult;

3/ the impediment mentioned in ⇒ can. 1042, n. 1.

§3. Dispensation in public cases from the irregularities from exercising an order received mentioned in ⇒ can. 1041, n. 3, and even in occult cases from the irregularities mentioned in ⇒ can. 1041, n. 4 is also reserved to the Apostolic See.

§4. An ordinary is able to dispense from irregularities and impediments not reserved to the Holy See.

Can. 1048 In more urgent occult cases, if the ordinary or, when it concerns the irregularities mentioned in ⇒ can. 1041, nn. 3 and 4, the Penitentiary cannot be approached and if there is

imminent danger of grave harm or infamy, a person impeded by an irregularity from exercising an order can exercise it, but without prejudice to the obligation which remains of making recourse as soon as possible to the ordinary or the Penitentiary, omitting the name and through a confessor.

Can. 1049 §1. Petitions to obtain a dispensation from irregularities or impediments must indicate all the irregularities and impediments. Nevertheless, a general dispensation is valid even for those omitted in good faith, except for the irregularities mentioned in ⇒ can. 1041, n. 4, and for others brought to the judicial forum, but not for those omitted in bad faith.

§2. If it is a question of the irregularity from voluntary homicide or a procured abortion, the number of the delicts also must be mentioned for the validity of the dispensation.

§3. A general dispensation from irregularities and impediments to receive orders is valid for all the orders.

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