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Art. 2.

THE VACANT SEE

Can. 416 An episcopal see is vacant upon the death of a diocesan bishop, resignation accepted by the Roman Pontiff, transfer, or privation made known to the bishop.

Can. 417 Everything that a vicar general or episcopal vicar does has force until they have received certain notice of the death of the diocesan bishop. Likewise, everything that a diocesan bishop, a vicar general, or an episcopal vicar does has force until they have received certain notice of the above-mentioned pontifical acts.

Can. 418 §1. Upon certain notice of transfer, a bishop must claim the diocese to which he has been transferred (*ad quam*) and take canonical possession of it within two months. On the day that he takes possession of the new diocese, however, the diocese from which he has been transferred (*a qua*) is vacant.

§2. Upon certain notice of transfer until the canonical possession of the new diocese, a transferred bishop in the diocese from which he has been transferred:

1/ obtains the power of a diocesan administrator and is bound by the obligations of the same; all power of the vicar general and episcopal vicar ceases, without prejudice to [⇒](#) can. 409, §2;

2/ receives the entire remuneration proper to this office.

Can. 419 When a see is vacant and until the designation of a diocesan administrator, the governance of a diocese devolves upon the auxiliary bishop or, if there are several, upon the one who is senior in promotion. If there is no auxiliary bishop, however, it devolves upon the college of consultors unless the Holy See has provided otherwise.

The one who so assumes governance of the diocese is to convoke without delay the college competent to designate a diocesan administrator.

Can. 420 When the see is vacant in an apostolic vicariate or prefecture, the governance is assumed by the pro-vicar or pro-prefect, appointed only for this purpose by the vicar or prefect immediately after the vicar or prefect has taken possession of the vicariate or prefecture, unless the Holy See has established otherwise.

Can. 421 §1. The college of consultors must elect a diocesan administrator, namely the one who is to govern the diocese temporarily, within eight days from receiving notice of the vacancy of an episcopal see and without prejudice to the prescript of ⇒ can. 502, §3.

§2. If a diocesan administrator has not been elected legitimately within the prescribed time for whatever cause, his designation devolves upon the metropolitan, and if the metropolitan church itself is vacant or both the metropolitan and the suffragan churches are vacant, it devolves upon the suffragan bishop senior in promotion.

Can. 422 An auxiliary bishop or, if there is none, the college of consultors is to inform the Apostolic See of the death of a bishop as soon as possible. The one elected as diocesan administrator is to do the same concerning his own election.

Can. 423 §1. One diocesan administrator is to be designated; any contrary custom is reprobated. Otherwise, the election is invalid.

§2. A diocesan administrator is not to be the finance officer at the same time. Therefore, if the Finance officer of the diocese has been elected as administrator, the Finance council is to elect a temporary Finance officer.

Can. 424 A diocesan administrator is to be elected according to the norm of ⇒ cann. 165-178.

Can. 425 §1. Only a priest who has completed thirty-Five years of age and has not already been elected, appointed, or presented for the same vacant see can be designated validly to the function of diocesan administrator.

§2. A priest who is outstanding in doctrine and prudence is to be elected as diocesan administrator.

§3. If the conditions previously mentioned in §1 have been neglected, the metropolitan or, if the metropolitan church itself is vacant, the suffragan bishop senior in promotion, after he has ascertained the truth of the matter, is to designate an administrator in his place. The acts of the one who was elected contrary to the prescripts of §1, however, are null by the law itself.

Can. 426 When a see is vacant, the person who is to govern the diocese before the designation of a diocesan administrator possesses the power which the law grants to a vicar general.

Can. 427 §1. A diocesan administrator is bound by the obligations and possesses the power of a diocesan bishop, excluding those matters which are excepted by their nature or by the law itself.

§2. When he has accepted election, the diocesan administrator obtains power and no other confirmation is required, without prejudice to the obligation mentioned in ⇒ can. 833, n. 4.

Can. 428 §1. When a see is vacant, nothing is to be altered.

§2. Those who temporarily care for the governance of the diocese are forbidden to do anything which can be prejudicial in some way to the diocese or episcopal rights. They, and consequently all others, are specifically prohibited, whether personally or through another, from removing or destroying any documents of the diocesan curia or from changing anything in them.

Can. 429 A diocesan administrator is obliged to reside in the diocese and to apply Mass for the people according to the norm of ⇒ can. 388.

Can. 430 §1. The function of a diocesan administrator ceases when the new bishop has taken possession of the diocese.

§2. The removal of a diocesan administrator is reserved to the Holy See. If an administrator resigns, the resignation must be presented in authentic form to the college competent to elect, but it does not need acceptance.

If a diocesan administrator has been removed, resigns, or dies, another diocesan administrator is to be elected according to the norm of ⇒ can. 421.

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