



# CODE OF CANON LAW

## BOOK I. GENERAL NORMS

### TITLE VI. PHYSICAL AND JURIDIC PERSONS (Cann. 96 - 123)

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### TITLE VI.

### PHYSICAL AND JURIDIC PERSONS (Cann. 96 - 123)

#### CHAPTER I.

#### THE CANONICAL CONDITION OF PHYSICAL PERSONS

Can. 96 By baptism one is incorporated into the Church of Christ and is constituted a person in it with the duties and rights which are proper to Christians in keeping with their condition, insofar as they are in ecclesiastical communion and unless a legitimately issued sanction stands in the way.

Can. 97 §1. A person who has completed the eighteenth year of age has reached majority; below this age, a person is a minor.

§2. A minor before the completion of the seventh year is called an infant and is considered not responsible for oneself (*non sui compos*). With the completion of the seventh year, however, a minor is presumed to have the use of reason.

Can. 98 §1. A person who has reached majority has the full exercise of his or her rights.

§2. A minor, in the exercise of his or her rights, remains subject to the authority of parents or guardians except in those matters in which minors are exempted from their authority by divine law or canon law. In what pertains to the appointment of guardians and their authority, the prescripts of civil law are to be observed unless canon law provides otherwise or unless in certain cases the diocesan bishop, for a just cause, has decided to provide for the matter through the appointment of another guardian.

Can. 99 Whoever habitually lacks the use of reason is considered not responsible for oneself (*non sui compos*) and is equated with infants.

Can. 100 A person is said to be: a resident (*incola*) in the place where the person has a domicile; a temporary resident (*advena*) in the place where the person has a quasi-domicile; a traveler (*peregrinus*) if the person is outside the place of a domicile or quasi-domicile which is still retained; a transient (*vagus*) if the person does not have a domicile or quasi-domicile anywhere.

Can. 101 §1. The place of origin of a child, even of a neophyte, is that in which the parents had a domicile or, lacking that, a quasi-domicile when the child was born or, if the parents did not have the same domicile or quasi-domicile, that of the mother.

§2. In the case of a child of transients, the place of origin is the actual place of birth; in the case of an abandoned child, it is the place where the child was found.

Can. 102 §1. Domicile is acquired by that residence within the territory of a certain parish or at least of a diocese, which either is joined with the intention of remaining there permanently unless called away or has been protracted for five complete years.

§2. Quasi-domicile is acquired by residence within the territory of a certain parish or at least of a diocese, which either is joined with the intention of remaining there for at least three months unless called away or has in fact been protracted for three months.

§3. A domicile or quasi-domicile within the territory of a parish is called parochial; within the territory of a diocese, even though not within a parish, diocesan.

Can. 103 Members of religious institutes and societies of apostolic life acquire a domicile in the place where the house to which they are attached is located; they acquire a quasi-domicile in the house where they are residing, according to the norm of can. 102, §2.

Can. 104 Spouses are to have a common domicile or quasi-domicile; by reason of legitimate separation or some other just cause, both can have their own domicile or quasi-domicile.

Can. 105 §1. A minor necessarily retains the domicile and quasi-domicile of the one to whose power the minor is subject. A minor who is no longer an infant can also acquire a quasi-domicile of one's own; a minor who is legitimately emancipated according to the norm of civil law can also acquire a domicile of one's own.

§2. Whoever for some other reason than minority has been placed legitimately under the guardianship or care of another has the domicile and quasi-domicile of the guardian or curator.

Can. 106 Domicile and quasi-domicile are lost by departure from a place with the intention of not returning, without prejudice to the prescript of can. 105.

Can. 107 §1. Through both domicile and quasi-domicile, each person acquires his or her pastor and ordinary.

§2. The proper pastor or ordinary of a transient is the pastor or local ordinary where the transient is actually residing.

§3. The proper pastor of one who has only a diocesan domicile or quasi-domicile is the pastor of the place where the person is actually residing.

Can. 108 §1. Consanguinity is computed through lines and degrees.

§2. In the direct line there are as many degrees as there are generations or persons, not counting the common ancestor.

§3. In the collateral line there are as many degrees as there are persons in both the lines together, not counting the common ancestor.

Can. 109 §1. Affinity arises from a valid marriage, even if not consummated, and exists between a man and the blood relatives of the woman and between the woman and the blood relatives of the man.

§2. It is so computed that those who are blood relatives of the man are related in the same line and degree by affinity to the woman, and vice versa.

Can. 110 Children who have been adopted according to the norm of civil law are considered the children of the person or persons who have adopted them.

**Can. 111 §1.** Through the reception of baptism, the child of parents who belong to the Latin Church is enrolled in it, or, if one or the other does not belong to it, both parents have chosen by mutual agreement to have the offspring baptized in the Latin Church. If there is no mutual agreement, however, the child is enrolled in the ritual Church to which the father belongs.

§2. Anyone to be baptized who has completed the fourteenth year of age can freely choose to be baptized in the Latin Church or in another ritual Church *sui iuris*; in that case, the person belongs to the Church which he or she has chosen.

**Can. 112 §1.** After the reception of baptism, the following are enrolled in another ritual Church *sui iuris*:

1/ a person who has obtained permission from the Apostolic See;

2/ a spouse who, at the time of or during marriage, has declared that he or she is transferring to the ritual Church *sui iuris* of the other spouse; when the marriage has ended, however, the person can freely return to the Latin Church;

3/ before the completion of the fourteenth year of age, the children of those mentioned in nn. 1 and 2 as well as, in a mixed marriage, the children of the Catholic party who has legitimately transferred to another ritual Church; on completion of their fourteenth year, however, they can return to the Latin Church.

§2. 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.

## CHAPTER II.

### JURIDIC PERSONS

Can. 113 §1. The Catholic Church and the Apostolic See have the character of a moral person by divine ordinance itself.

§2. In the Church, besides physical persons, there are also juridic persons, that is, subjects in canon law of obligations and rights which correspond to their nature.

Can. 114 §1. Juridic persons are constituted either by the prescript of law or by special grant of competent authority given through a decree. They are aggregates of persons (*universitates personarum*) or of things (*universitates rerum*) ordered for a purpose which is in keeping with the mission of the Church and which transcends the purpose of the individuals.

§2. The purposes mentioned in §1 are understood as those which pertain to works of piety, of the apostolate, or of charity, whether spiritual or temporal.

§3. The competent authority of the Church is not to confer juridic personality except on those aggregates of persons (*universitates personarum*) or things (*universitates rerum*) which pursue a truly useful purpose and, all things considered, possess the means which are foreseen to be efficient to achieve their designated purpose.

Can. 115 §1. Juridic persons in the Church are either aggregates of persons (*universitates personarum*) or aggregates of things (*universitates rerum*).

§2. An aggregate of persons (*universitas personarum*), which can be constituted only with at least three persons, is collegial if the members determine its action through participation in rendering decisions, whether by equal right or not, according to the norm of law and the statutes; otherwise it is non-collegial.

§3. An aggregate of things (*universitas rerum*), or an autonomous foundation, consists of goods or things, whether spiritual or material, and either one or more physical persons or a college directs it according to the norm of law and the statutes.

Can. 116 §1. Public juridic persons are aggregates of persons (*universitates personarum*) or of things (*universitates rerum*) which are constituted by competent ecclesiastical authority so that, within the purposes set out for them, they fulfill in the name of the Church, according to the norm of the prescripts of the law, the proper function entrusted to them in view of the public good; other juridic persons are private.

§2. Public juridic persons are given this personality either by the law itself or by a special decree of competent authority expressly granting it. Private juridic persons are given this personality only through a special decree of competent authority expressly granting it.

Can. 117 No aggregate of persons (*universitas personarum*) or of things (*universitas rerum*), intending to obtain juridic personality, is able to acquire it unless competent authority has approved its statutes.

Can. 118 Representing a public juridic person and acting in its name are those whose competence is acknowledged by universal or particular law or by its own statutes. Representing a private juridic person are those whose competence is granted by statute.

Can. 119 With regard to collegial acts, unless the law or statutes provide otherwise:

1/ if it concerns elections, when the majority of those who must be convoked are present, that which is approved by the absolute majority of those present has the force of law; after two indecisive ballots, a vote is to be taken on the two candidates who have obtained the greater number of votes or, if there are several, on the two senior in age; after the third ballot, if a tie remains, the one who is senior in age is considered elected;

2/ if it concerns other affairs, when an absolute majority of those who must be convoked are present, that which is approved by the absolute majority of those present has the force of law; if after two ballots the votes are equal, the one presiding can break the tie by his or her vote;

3/ what touches all as individuals, however, must be approved by all.

Can. 120 §1. A juridic person is perpetual by its nature; nevertheless, it is extinguished if it is legitimately suppressed by competent authority or has ceased to act for a hundred years. A private juridic person, furthermore, is extinguished if the association is dissolved according to the norm of its statutes or if, in the judgment of competent authority, the foundation has ceased to exist according to the norm of its statutes.

§2. If even one of the members of a collegial juridic person survives, and the aggregate of persons (*universitas personarum*) has not ceased to exist according to its statutes, that member has the exercise of all the rights of the aggregate (*universitas*).

Can. 121 If aggregates of persons (*universitates personarum*) or of things (*universitates rerum*), which are public juridic persons, are so joined that from them one aggregate (*universitas*) is constituted which also possesses juridic personality, this new juridic person obtains the goods and patrimonial rights proper to the prior ones and assumes the obligations with which they were burdened. With regard to the allocation of goods in particular and to the fulfillment of obligations, however, the intention of the founders and donors as well as acquired rights must be respected.

Can. 122 If an aggregate (*universitas*) which possesses public juridic personality is so divided either that a part of it is united with another juridic person or that a distinct public juridic person is erected from the separated part, the ecclesiastical authority competent to make the division, having observed before all else the intention of the founders and donors, the acquired rights, and the approved statutes, must take care personally or through an executor:

1/ that common, divisible, patrimonial goods and rights as well as debts and other obligations are divided among the juridic persons concerned, with due proportion in equity and justice, after all the circumstances and needs of each have been taken into account;

2/ that the use and usufruct of common goods which are not divisible accrue to each juridic person and that the obligations proper to them are imposed upon each, in due proportion determined in equity and justice.

Can. 123 Upon the extinction of a public juridic person, the allocation of its goods, patrimonial rights, and obligations is governed by law and its statutes; if these give no indication, they go to the juridic person immediately superior, always without prejudice to the intention of the founders and donors and acquired rights. Upon the extinction of a private juridic person, the allocation of its goods and obligations is governed by its own statutes.

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**Cf: Apostolic Letter issued 'Motu Proprio' "*De concordia inter Codices*" modifying some norms of the Code of Canon Law (31 May 2016)**

[\[Latin\]](#)

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