

## Marriage Preparation and Celebration Circular 2005-17

To: All Parish Priests

This is to remind our priests with regards to certain obligations we have as pastors for the licit and proper way of celebrating canonical marriages.

**First**, it is the obligation of the Parish Priest to do the **canonical investigation** of the couple (*cf. CBCP Complementary Norms to the Code, no.4, regarding c.1067*). If he cannot do it due to the tremendous amount of pastoral workload, he may employ the help of another priest, such as the parochial vicar or the resident guest priest, to do it for him. There are, however, several matters to be considered:

1. This is not a simple interview. It is canonical investigation. The interviewing priest is to investigate the couple separately in order to *a)* determine their knowledge on Christian doctrine, particularly on marriage, *b)* ensure the freedom of the parties, and *c)* to make sure there is no canonical impediment or defect in consent and/or in form (*c. 1066*) to solemnize the wedding.
2. The questionnaire should be filled up by the priest as each party is being interviewed. Afterwards, both the priest and the applicant put down their signatures at the bottom of the questionnaire. This is the ideal practice. However, for practical purposes, the questionnaire may be filled up by the couple separately, then, during the interview, the priest will make the necessary corrections and/or fill up the additional answers on the questionnaire.
3. This must be something formal. The applicant must first make the formal oath with his/her hand on the Bible. He/she must be seriously reminded of the obligation to tell the truth.
4. The canonical investigation must take place well ahead of time to avoid "*omnia parata sunt*" cases which are very risky. Once the couple applies, they should be immediately interviewed. The CBCP Complementary Norms to the Code puts it specifically: the interview should take place before the publication of the banns (*no. 6*). This is so that problems, if any, can be discovered and corrected while there is still time. This should not be delayed simply because the necessary papers are not yet complete.

**Second**, the **marriage banns and permission** are official documents of the Church on the particular marriage. The Parish Priest must personally sign these papers. **The parish secretary has no right to sign these, not even with the parish priest's signature via stamp pad.** As regards permission, when a couple applies for marriage, but they were already denied by the proper parish priest, professional ethics requires that the second pastor informs and confers with the first pastor. In the event that, according to his judgment, the second pastor decides to proceed with the wedding, he must first seek the approval of the Chancery.

**Third**, the rule on **delegation** should be seriously followed since this has something to do with the canonical form. Canon 1108, §1 states that the marriage, in order to be valid, has to be celebrated in the presence of the "qualified witness", that is, the Local Ordinary, or the parish priest, or other priests lawfully delegated, according to canon 1111, §§1-2. General delegation is given, *a iure*, to the Parochial Vicar. But it is not given to the guest priest, whether resident or non-resident guest priest, religious or diocesan. In the case when the marriage is solemnized by a priest who is not the parish priest or parochial vicar, that priest should be expressly given a particular (special) delegation by the parish priest. This has to be done for every marriage celebration. Though for an express delegation an oral grant suffices, it is pastorally prudent for the parish priest to issue a written delegation. This will be filed together with the other marriage papers.

**Finally**, there has been a common practice in Metro Manila whereby a priest/deacon, without the official authorization from the civil government, is asked or allowed to solemnize a wedding. Then, to have the semblance of legality, the parish priest signs the marriage contract. This practice is illegal and dangerous, particularly involving those marriages of couples who have no civil marriage prior to the church marriage. People have cameras, video recorders and cellphones with camera, and it can be easily proven that the solemnizing officer is a different person from the one who signed the marriage contract. This practice must cease immediately.

Given in the Chancery in Fairview, Quezon City, this 1<sup>st</sup> day of September, in the Year of the Lord, 2005.

**Most Rev. Antonio R. Tobias, DD**  
Bishop

Attested to by,

**Rev. Fr. Jaime Z. Lara**  
Chancellor