



**In Relation to the Decree of Monday, 19 September 2022:
'Norms for the implementation of the Motu Proprio *Traditionis Custodes*'.**

Thursday, 20 October 2022

Dear sisters and brothers in Christ,

Pope Francis on Friday, 16 July 2021, issued an Apostolic Letter, *Traditionis Custodes*, promulgating new legislation for the Catholic Church *On the Use of the Roman Liturgy Prior to the Reform of 1970*. This legislation came into force on the day of publication.

In this Apostolic Letter, issued *Motu Proprio* (on his own authority), Pope Francis said:

"It belongs to the diocesan bishop, as moderator, promoter, and guardian of the whole liturgical life of the particular Church entrusted to him, to regulate the liturgical celebrations of his diocese. Therefore, it is his exclusive competence to authorize the use of the 1962 Roman Missal in his diocese, according to the guidelines of the Apostolic See" [Art. 2].

As the Archbishop of Perth, I issued by decree the *Norms for the Implementation of the Motu Proprio Traditionis Custodes* on Monday, 19 September 2022. These norms came into force on that same day. These norms define the manner in which the legislation of Pope Francis, which applies to the whole church and therefore binds all Catholics, is to be applied in the Archdiocese of Perth.

In the language of canon law this decree is technically known as a *general executory decree*. General executory decrees define more precisely *the manner of applying a law* (Canon 31 §1). In simple terms a general executory decree specifies the way in which, at the local level, the universal law of the church, in this case established by Pope Francis, is to be implemented.

The understanding of the Decree '*Norms for the implementation of the Motu Proprio Traditionis Custodes*' as a *singular decree* regulated by canons 48-58 of the Code of Canon Law, rather than a *general executory decree*, is incorrect. There is no provision in canon law to propose recourse (appeal) to the Apostolic See against general executory decrees, and therefore the provision of canon 1734 §1 is not applicable to the Decree of Monday, 19 September 2022.

In making this statement I am conscious of the challenge which the decision of Pope Francis, in relation to this matter, may have presented to some of the Catholics of our archdiocese. I have no desire to cause unnecessary distress to anybody, but as the Archbishop of Perth, it is my responsibility to faithfully implement the decisions of the Pope, who is the 'supreme legislator' for the Catholic Church.

In spite of the difficulties which this matter has caused for some, it is my hope that we can remain united in our love for the church and in our loyalty to the Holy Father.

Yours sincerely in Christ,

+ Timothy Costelloe SDB

**Most Rev Timothy Costelloe SDB DD
Archbishop of Perth**