

The Rule of the Third Order of the Society of Saint Francis

ii) The Constitution

1. The Order

- 1.1.a The Third Order of the Society of Saint Francis (TSSF) is the revival within the Anglican Communion in the twentieth century of the Brothers and Sisters of Penance originally founded by Saint Francis.
- 1.1.b The Third Order places itself under the patronage of the Blessed Virgin Mary, Saint Francis of Assisi, and Saint Clare of Assisi, whose festivals are to be specially observed.
- 1.1.c The Rule of the Third Order is comprised of the Principles, the Constitution, and the form of Profession and Renewal of the Third Order.
 - i) The Principles are the agreed version of the Rule of the Christa Seva Sangha as set out in the 'Source Documents.'
 - ii) The Constitution defines the form and practice of the Third Order in response to the Principles.
 - iii) The form of Profession and Renewal is authorised by Interprovincial Chapter.
- 1.1.d The Rule of the Third Order is the basis of our community life and is the expression of our heritage and vision in the Franciscan life.
- 1.1.e The Principles, together with the Personal Rule of Life, are the focus of commitment and renewal for all Tertiaries.
- 1.2 The Third Order of the Society of Saint Francis is organised into Provinces.
- 1.3.a One of the Ministers Provincial, or a former Minister Provincial who has been in attendance at the most recent Ministers Provincial meeting, shall be eligible for election as the Minister General. The Minister General shall appoint another Minister Provincial who shall serve as Assistant Minister General.
- 1.3.b The Minister General is the functional Head of the Third Order throughout the world, and its servant.
- 1.3.c It is the responsibility of the Minister General:
 - i) to ensure that the Constitution of the Third Order is observed.
 - ii) to assist in co-ordinating the interprovincial life of the Third Order.
 - iii) to act as Convenor for the other Ministers Provincial in all interprovincial matters of Third Order policy and practice.
 - iv) to ensure that Interprovincial Chapters are called in accordance with the Constitution.
- 1.3.d The Minister General may attend and may vote at any meeting of any Provincial Chapter.
- 1.3.e The Minister General shall be elected by the Interprovincial Third Order Chapter, and a new Minister Provincial will be elected as soon as possible by the Province affected.
- 1.3.f When the office of Minister General falls vacant between meetings of the Interprovincial Chapter there shall normally be an electronic vote by the same

electorate, that is; the Ministers Provincial, the Provincial Chaplains, and the third elected member of each Province. A Bishop Protector shall act as the returning officer for a postal vote.

- i) The Minister General shall hold office initially for three years.
- ii) Three months prior to the end of the first three-year term, the Assistant Minister General will ask the Bishop Protector to email the Ministers Provincial asking if they will affirm the Minister General taking on an additional three-year term. (A simple majority is required.)
- iii) In the event the Ministers Provincial do not affirm the reappointment of the Minister General for an additional three-year term, then there shall be an election, normally electronic, for a new Minister General by the IPTOC electorate, the candidates being as referenced in 1.3a
- iv) During this time the Assistant Minister General shall exercise the role of Minister General until the new Minister General is elected.

1.4.a There shall be an Interprovincial Third Order Chapter to co-ordinate the activities of the Order throughout the world.

1.4.b Meetings of the Interprovincial Chapter shall be called by the Minister General either

- i) at the request of any two Provinces, or
- ii) in any event at intervals not exceeding six years.

1.4.c i) The Minister General shall preside at all meetings of the Interprovincial Chapter.

- ii) Each Province shall be represented at the Interprovincial Chapter by the Minister Provincial, the Provincial Chaplain, or their nominees, and one other professed tertiary, chosen according to the procedure laid down in the Statutes of each Province.

1.4.d The Ministers Provincial together shall act as an executive body of Interprovincial Chapter. Their decisions shall be reported to, and ratified by all Provincial Chapters and the Interprovincial Chapter when it meets.

1.4.e The Third Order shall have a Central Fund which shall be operated in accordance with the provisions of the Deed of Trust agreed with the Charity Commission for England and Wales.

1.4.f The Central Fund was registered by the Charity Commission for England and Wales as a separate charity from TSSF on 5 April 2019 (Registration No. 1182834).

2. Membership of the Order

2.1.a Tertiaries of the Society of Saint Francis will normally be communicant members of the Anglican Communion or of churches in communion with the See of Canterbury.

2.1.b Application for membership from communicant members of other churches may be referred to the Bishop Protector of the Province concerned, who shall exercise his discretion in accordance with the Constitution of the Society of Saint Francis.

2.2.a The Third Order recognises two degrees of Membership: Novices and Professed.

- 2.2.b i) The Novitiate is normally of two years duration.
- ii) No person under the age of 18 years may be noviced except as provided in the Provincial Statutes of each Province.
- iii) Postulants may be admitted to the Novitiate provided that they have kept a provisional rule of life for at least six months.
- 2.2.c At Profession tertiaries commit themselves to Christ within the Third Order with lifelong intention.
- 2.3.a Admissions to the Postulancy must be approved by the Provincial Chaplain concerned except as provided by the Statutes of each Province.
- 2.3.b Those to be Professed must be elected to Profession by the Provincial Chapter of the Province concerned except as provided by the Statutes of each Province.
- 2.3.c Novicings, Professions and Renewals shall, wherever possible, take place within the Eucharist, using the Service approved for the purpose.
- 2.3.d Novicings and Renewals shall normally be accepted by a Professed Tertiary.
- 2.3.e Professions may normally be received by a Professed Tertiary after election by the Chapter of the Province concerned, and shall be evidenced by the giving and receiving of the Professional Cross.
- 2.4.a The resignation of a Professed Tertiary and release from the obligations of Profession requires the permission of the Chapter of the Province concerned.
- 2.4.b The Chapter of a Province may initiate the release from the Order of any professed Tertiary. This shall be done in accordance with the Statutes of the Province.

3. The Provinces

- 3.1 New Provinces shall be formed by the Interprovincial Chapter of the Third Order.
- 3.2 Within each Province the Third Order is protected by the Bishop Protector appointed by the Provincial Chapter of that Province for an initial term of six years, renewable at the discretion of that Chapter.
- 3.3.a In each Province there shall be a Chapter which shall be the legislative body for that Province.
- 3.3.b Each Province shall draw up its own Statutes governing its organisation and shall exchange copies for information with the other Provinces.
- 3.3.c The formation of a new Province shall be determined by the Provincial Ministers, and thereafter in accordance with the Statutes of the new Province as approved by its Chapter.
- 3.3d In discerning the will of God for the growth and development of the Order through the formation of a new Province, the Provincial Ministers shall take into account the following:
 - Whether there is a functioning chapter
 - The extent to which the emerging Province is taking responsibility for its finances. e.g. providing for its own internal needs and contributing to the budget of the existing Province
 - The extent to which it is taking responsibility for formation including indigenising the formation material and developing clear ways of doing

formation themselves – (i.e. developing the material themselves and not just translating other material)

- Development of leadership and leadership structures
- Recognising they are part of the wider Order
- The justification for the change
- Functioning structures and procedures that are being developed into its statutes
- A minimum number that is viable
- How this is of benefit to the whole Order.

4. Spiritual Direction and Rule of Life

- 4.1.a Each Member of the Third Order must have a Spiritual Director who normally has a Spiritual Director and accepts 'the Principles' as the basis of direction.
- 4.1.b Each Novice of the Third Order must have a Novice Counsellor who will assist with the Tertiary's formation in Franciscan life.
- 4.2.a Members of the Third Order shall each make and keep a Personal Rule of Life.
- 4.2.b The purpose of the Personal Rule of Life is to interpret and express the Principles in the particular circumstances of each Tertiary's life.
- 4.2.c The Personal Rule of Life should be drawn up according to the Statutes of the Province, giving consideration to each Tertiary's personal gifts and qualities as well as the other duties and responsibilities each may have.
- 4.2.d The Personal Rule of Life will normally include some commitment, clearly stated, in each of the following areas:
 - 1. The Holy Eucharist
 - 2. Penitence
 - 3. Personal Prayer
 - 4. Self Denial
 - 5. Retreat
 - 6. Study
 - 7. Simplicity
 - 8. Work
 - 9. Obedience
- 4.3.a As a sign of their commitment and renewal, the members of the Third Order shall annually renew their pledge to live according to the Principles as expressed in their Personal Rule of Life.
- 4.3.b Annual renewal is required to safeguard against nominal membership and to give opportunity for the Personal Rule of Life to be revised if needed.
- 4.3.c Members of the Third Order shall report at least annually on their living in accordance with the Principles as expressed in their Personal Rule of Life in the manner laid down in the Statutes of their Province.
- 4.4 Those admitted to the Novitiate are committed as Members of the Franciscan Family within the Third Order, to accept the authority of their Provincial Chapter and those who hold Pastoral Office in their Province, and to seek humbly and joyfully to grow in their vocation.

5. Amendments to Constitution

- 5.1 Amendment to the Constitution and Appendices may be proposed by a Provincial Chapter and shall be submitted in writing to the Minister General for circulation to the other Provinces.
- 5.2 Subject to the approval of all the Provinces, such amendments shall be ratified by the Interprovincial Chapter of the Third Order.
- 5.2.a Procedure for electronic (email) voting:

Electronic voting would be reserved for those extraordinary situations when a Provincial Chapter has a motion requiring a vote of IPTOC, where they believe that waiting until the next regularly scheduled meeting of Chapter would have a detrimental effect. The Province should communicate with the Minister General who will present the motion to the other Ministers Provincial for a vote by their

[This Version of the Rule is as approved at IPTOC 2017]

respective Chapters. If there is agreement by all of the Chapters, the Minister General shall send an email to voting members of IPTOC for their vote. If there is a majority of affirmative votes, the Constitution will be amended.

5.3 This version of the Constitution is that amended by the Interprovincial Chapter of 2017.

Deed of Trust

[TSSFCF Trust Deed signed on 20170907.pdf](#)

Approved Distillation of Deed of Trust

Central und of TSSF – Distillation of Deed of Trust & Regulations

1. The Central Fund of the Third Order, Society of St. Francis (CFTSSF) is a charitable trust created by a Deed of Trust (DoT) and registered on 5 April 2019 with the Charity Commission for England & Wales, Registered charity number 1182834. It is administered by the trustees, appointed in accordance with the Deed of Trust, who are

- a. The Minister General, Third Order (Chair – ex officio)
- b. The Minister Provincial of the European Province if the Minister General is from another province. If the Minister General is from the European province, a Minister Provincial from another province will be elected by the Ministers Provincial (ex officio).
- c. The Bishop Protector of the European Province (ex officio)
- d. Up to three other trustees may be appointed by a resolution of the trustees, for one or two terms of three years.

2. Under Clause 22 of the DoT, the trustees are entitled to make regulations. The DoT contains 33 Clauses and runs to some 15 pages. The purpose of tis document is to distil the DoT and the regulations to a manageable length for all Tertiaries of TSSF. Full copies of both documents are held in each of the five Provinces.

3. The primary object of the charity is *“The advancement of the Christian religion for the benefit of the public in accordance with the Rule of the Third Order, Society of St. Francis (comprising The Principles, the Constitution; and the forms of Profession and Renewal), in particular but not exclusively by supporting the Third Order, Society of St. Francis and making grants.”*

During the registration of the fund as a charity operating separately from the European Province of TSSF, it was agreed with the Charity Commission for England and Wales that the Objects were required to be very broad and generic with little reference to what the fund was actually set up for, namely the five historic purposes, agreed at IPTOC 2017 and building on the text of previous IPTOC meetings. They are included in the Regulations to act as an interpretive lens to aid decision-making on what the Object of the Trust is intended to be.

4. The Regulations, Sections A to F, were _____ by the trustees on 7 September 2017, amended on 26 June 2018 and updated on 23 September 2020.
5. Section A deals with the position of Secretary/Treasurer, summarised as follows:
- a. The CFTSSF shall have a Secretary, who shall also be its Treasurer.
 - b. The Secretary/Treasurer shall be a Tertiary from the European Province appointed by the Trustees on the recommendation of the Provincial Minister, European Province.
 - c. The Secretary/Treasurer is accountable to the Trustees.
 - d. The Secretary/Treasurer shall be responsible for the administration and oversight of the Fund, plus full duties detailed in the Regulations.
6. Section B deals with Banking, see Regulations for full details.
7. Section C deals with Decision-making between meetings, see Regulations for full details.
8. Section D deals with Minutes of Meetings, see Regulations for full details.
9. Section E deals with Keeping and authentication of records, see Regulations for full details.
10. Section F deals with Finances, see Regulations for full details, but including:
- a. A statement of accounts of the Central Fund, with details of grants and income shall be sent annually to all Trustees and Provincial Ministers.
 - b. The financial year ends 31 May to conform to the European Province reporting cycle.
 - c. The Central Fund may receive donations for its general purposes from the Provinces of the Third Order, determined in accordance with guidelines agreed by the Ministers Provincial.
 - d. The Central Fund may receive donations from groups or individuals, especially those who wish to see the Provinces of the Third Order go forward together in their Franciscan vocation.
 - e. The Central Fund may receive moneys from Trusts, or any other legal entities, for the general purposes of the CFTSSF.