

PONTIFICIA ACADEMIA PRO VITA



FOUNDATION

VITAE MYSTERIUM

Preamble

The autonomous Foundation ‘Vitae Mysterium’ was established canonically by His Eminence Cardinal Angelo Sodano, the Secretary of State, by the Decree of 16 October 1994 (*AAS LXXXVII [1995], p. 92*), with the institutional task of providing for financial support for the ordinary and extraordinary activities of the Pontifical Academy for Life (PAV), as envisaged by the first *ad experimentum* Statutes of the same Academy (cf. *Stat. ad experimentum, art. 15 and 16*). At the same time as its canonical establishment, the Foundation was endowed with its own Statutes, conceived with close and explicit reference to the Statutes of the PAV that were then in force.

On 29 November 2004 the Holy Father John Paul II approved the new Statutes of the PAV, which came into force on 1 January 2005. In them, amongst other things, the placing of the Academy, as an Institution supported by the Holy See, amongst the bodies financed by the Administration of the Patrimony of the Apostolic See (APSA) (cf. *Stat. art. 7*), was sanctioned through the presentation and approval of the annual accounts of its ordinary and extraordinary activities.

These changes, as a result, have made necessary a reformulation of the Statutes of the Foundation ‘Vitae Mysterium’ so that they can be fully consistent with the new institutional and administrative status of the PAV.

Chapter I

Name, Finality and Assets

Art. 1 – Name

The *Foundation* ‘Vitae Mysterium’ was established by the Secretary of State in the form of an *autonomous Foundation* in conformity with can. 1303 § 1, 1° CIC with its own public, canonical, and civil juridical personality and with its seat in the Vatican City.

Art. 2 – Finality

The *Foundation* has as its institutional finality financial support for those activities of the *PAV* which, although they fully belong to its goals (cf. *Stat., art. 1 and 6*), are not included in the headings of the accounts envisaged by APSA. Amongst these activities belong in a particular way: a) the establishment of scholarships and the promotion of other initiatives for formation in bioethics, in particular of people from developing countries or in areas where this discipline most needs to be diffused; b) the publication of a ‘series of monographic works which in the main contain detailed studies on subjects and issues of great bioethical interest, whether they be produced by Members of the PAV or by its Officials’ (*Stat. art. 9*), whose costs of publication cannot weigh on the APSA budget of the PAV (cf. *Stat. art. 7, § 1*).

To achieve its purpose, the *Foundation* promotes initiatives to collect funds which will allow the above mentioned activities of the PAV to be engaged in.

Art. 3 – Assets

The permanent assets of the *Foundation* are made up of its initial endowment and the real and personal property which will be bestowed upon it out of the liberality of physical

persons and public and private bodies. An increase in the assets will take place through their wise management, with oblations by acts between the living or *mortis causa* and with the setting aside of a part of the annual earnings from these assets.

Chapter II *Organisation*

Art. 4 – Structure

The structure of the Foundation envisages the following figures: the President, the Chancellor, the Council of Administration, and the Administrative Secretary.

Art. 5 – The President

The President of the Foundation is the President of the PAV '*perdurante munere*'; he directs the *Foundation* and represents it in a legal sense in every context; he convokes the Council of Administration; and he organises the drawing up of programmes and follows their implementation once these have been approved by the Council of Administration. In the performance of his functions, the President receives the assistance of the Administrative Secretary; when this is so required, he can delegate his tasks and powers to the Chancellor.

Art. 6 – The Chancellor

The Chancellor of the Foundation is the Chancellor of the PAV '*perdurante munere*'; he helps the President in his functions and can be delegated by the President to perform the latter's tasks and powers.

Art. 7 – The Council of Administration

§ 1 – The Council of Administration is made up of five members:

a) Two '*ex officio*': the President of the PAV and the Chancellor of the PAV '*perdurante munere*';

b) Three Councillors, appointed from amongst the Academicians of the PAV by the Secretary of State, on the indication of the Governing Council of the PAV.

The mandate of the Council of Administration lasts five years. The three Councillors appointed by the Secretary of State can be confirmed for more than one mandate.

In the case of the resignation or death of one of the members, a substitution is effected in conformity with the modalities outlined in the previous points a) and b) and for the length of the mandate of the existing Council.

§ 2 – It is the task of the Council of Administration:

a) To deliberate on the programmes of the *Foundation*.

b) To establish the size of the financial contribution to be conferred every year on the PAV.

c) To approve the annual budget and the annual accounts.

d) To express its vote on extraordinary acts of administration.

e) To propose changes, if any, to the Statutes.

Its meetings will be held ordinarily twice a year, being convoked by the President, and, in extraordinary contexts, every time this is decided by the President and at least two

Councillors request this. The Administrative Secretary acts as a secretary at the meetings and takes part in them without the right to vote and attends to the writing of the minutes. The decisions of the Council of Administration are taken in conformity with canon 119 of the CIC.

Art. 8 – The Administrative Secretary

The Administrative Secretary is appointed by the Council of Administration which entrusts this office to a person *outside* the PAV who is professionally suitable, after listening to the opinion of the competent organs of APSA. His tenure of office is five years and his tenure can be reconfirmed

The Administrative Secretary has the task of helping the Council of Administration and the President. He attends to the convoking of the Council of Administration and draws up the minutes of its meetings. He is responsible for the keeping of the registers of the accounts and of all the documentation connected with the economic-financial activity of the *Foundation*. He draws up the annual budget and the annual accounts. He is responsible for the keeping of the archive.

Chapter III

Functioning and Controls

Art. 9

The *Foundation* actuates its institutional finalities by providing for the financial support of the activities of the PAV indicated in art. 2 of these Statutes. In addition, it attends to the dissemination of the programmes of the PAV to sensitise potential supporters both in the ecclesial world and in the lay world, addressing all those who agree with the teaching of the Church on the promotion and the defence of life.

Every year the *Foundation* makes available to the Pontifical Academy the contributions collected in the form of direct offerings and the income that made available by its permanent assets.

Art. 10

Every year the President sends the accounts to the Secretariat of State as well as a report on his institutional activity; he also submits to the Secretariat, for authorisation, all the acts of extraordinary administration. The *Secretariat of State*, in concert with the *Prefecture for the Economic Affairs of the Holy See*, exercises over the *Foundation* the tutorial controls and power envisaged by the canonical regulations on the subject that are in force.

Art. 11 – The College of Accountants

§ 1 – The College of Accountants is made up of three members appointed by the Secretariat of State for a period of three years which is renewable. The Secretariat of State will indicate who should preside over the College. If one of the members is not available for any reason, a substitute will be appointed employing the same criteria to complete the mandate.

§ 2 – The Accountants watch over the observance of law, of the Statutes and of other regulations of the *Foundation* and in particular over the keeping of the accounts and the

matching of the budget with the accounts, in line with commonly accepted principles. The Accountants can at any time engage in acts of inspection and control.

§ 3 – The Accountants take part in the meetings of the Council of Administration and directly answer for their work to the Cardinal Secretary of State.

§ 4 – The payment due to the members of the College will be determined annually by the Secretariat of State.

Chapter IV

Secondary Seats

Art. 12

The *Foundation* can open secondary seats (in the simple form of ‘offices’) outside the territory of the Vatican City, drawing in this on the canonical and civil Vatican regulations as well as on international practice and custom.

Chapter V

The Ending of the Foundation and Supplementary Regulations

Art. 13

In the case of the ending of the *Foundation*, its assets will be given to the *Pontifical Academy for Life*.

Art. 14

Any changes to the Statutes must be proposed by the Council of Administration and approved by the Secretary of State.

Art. 15

The Vatican forum is exclusively competent as regards any controversies that may arise.

Art. 16

With regard to what is not envisaged by these Statutes, the canonical and Vatican civil laws and regulations in force on the subject are to be applied.

From the Vatican, 14 September 2005


Secretario di Stato