

Digest of Masonic Law

CHAPTER 34.

WAIVER OF JURISDICTION

NECESSITY FOR WAIVER OVER CANDIDATE

Constitutional Provisions

No Lodge has the right to receive a petition of any person for the Degree of Entered Apprentice, Fellow Craft, or Master Mason, residing out of its jurisdiction, without the express consent of the Lodge in whose jurisdiction such person resides, certified by its Secretary with the Lodge Seal. (Art. X, Sec. 24)

Regulations

34.01 Waiver of jurisdiction is the relinquishment by a Lodge of the jurisdiction possessed by it over a subject, transferring the same to some other Lodge for the purpose specified.

34.02 A Lodge cannot waive jurisdiction on a non-Mason or any one over whom it has assumed jurisdiction, except by unanimous ball-ballot at a Stated Communication.

34.03 When a request is made to a Lodge for a waiver of jurisdiction on a petitioner known by the Lodge to be unsuitable material, the request should be refused.

34.04 It is permissible for a Lodge to waive jurisdiction over a young man who had not attained 18 years of age, in order that the Lodge to whom jurisdiction may be waived could receive the petition and act upon it immediately after his eighteenth birthday. (2008)

34.05 There can be no waiver of jurisdiction by a Lodge over a non-Mason who has permanently moved, even recently, to another jurisdiction. The jurisdiction ceases immediately upon a removal intended to be permanent.

34.06 A Lodge cannot waive its jurisdiction over a non-Mason on the ground that some of the Brethren have conscientious doubts in regard to his physical qualifications. If he is physically disqualified in one Lodge, he is in all the rest. Every member of a Lodge has the right to express his doubts, in such cases, at the ballot box, as jurisdiction cannot be waived, except by unanimous ball-ballot.

34.07 (Repealed).

34.08 When a petition is presented for the Degrees, if there should be any question of jurisdiction, a committee should be appointed to investigate and report before the petition is received by the Lodge.

References

Correspondence relating to waiver of jurisdiction over petitioner rejected in another Grand Jurisdiction within five (5) years must be handled through office of Grand Secretary. Reg. 36. 05.
As to jurisdiction of Particular Lodges, see Chapter 18.

Rulings and Decisions

Waiver of jurisdiction from Lodges of other Grand Jurisdictions must clear through respective offices of Grand Secretaries affected. (1942 Proc. 50)

Where petitioner lives nearer to other Lodges than the one he petitions, it is not necessary to secure waiver of both such Lodges but only to secure waiver of jurisdiction of Lodge having jurisdiction. (1946 Proc. 38)

Lodge is sole judge as to whether it will waive jurisdiction on its material or not. Neither Grand Master nor Grand Lodge can interfere with this right. (1943 Proc. 78)

Lodge may grant waiver of jurisdiction although "permanent objection" to petitioner had been entered twenty (20) years ago. (1964 Proc. 32)

Waiver of jurisdiction requires unanimous ball ballot at Stated Communication. (1942 Proc. 51)

No investigating committee is necessary on requests for waiver of jurisdiction. (1947 Proc. 31)

Rejected material still living in jurisdiction of Lodge has indicated desire to petition another Lodge. Lodge of his choice can not ask for waiver of jurisdiction until they accept petition of the rejected material. (1947 Proc. 33)

The refusal of a Lodge to grant waiver of jurisdiction to another Lodge does not constitute a rejection of the petitioner, consequently, the Secretary receiving a petition for the second time can, without delay, apply again for waiver of jurisdiction and the Lodge receiving the request can act upon it at their next Stated Communication. (1954 Proc. 64-65)

Proper Procedure for petitioner living in jurisdiction of one Lodge and wishing to become member of another Florida Lodge is to present petition to (he Lodge of which he wishes to become a member and (the Lodge so petitioned may request waiver of jurisdiction from the Lodge in which the petitioner resides, and if granted, the petition proceeds as provided in the Regulations. Chapter 34 sets out the correct procedure. (1959 Proc. 61-62, 164)

Lodge which requests and receives waiver of jurisdiction over a petitioner and rejects such petitioner must, upon receipt of subsequent petition from same petitioner, request and receive another waiver of jurisdiction before proceeding to ballot on such petition. (1964 Proc. 68, 268)

Where petitioner resides in concurrent jurisdiction of two or more Lodges and petitions a Lodge outside of said concurrent jurisdiction, waiver of jurisdiction is required only from Lodge nearest residence of the Petitioner. In the event two or more Lodges meet at a place nearest the residence of the petitioner, waiver should be secured from either of such Lodges. (1966 Proc. 247)