



SEANAD ÉIREANN

**AN BILLE UM AN DARA LEASÚ IS TRÍOCHA AR AN
mBUNREACT (DEIREADH A CHUR LE SEANAD
ÉIREANN), 2013**

**THIRTY-SECOND AMENDMENT OF THE CONSTITUTION
(ABOLITION OF SEANAD ÉIREANN) BILL 2013**

**LEASUITHE TUARASCÁLA
REPORT AMENDMENTS**

SEANAD ÉIREANN

AN BILLE UM AN DARA LEASÚ IS TRÍOCHA AR AN mBUNREACHT (DEIREADH A CHUR LE SEANAD ÉIREANN), 2013 —AN TUARASCÁIL

THIRTY-SECOND AMENDMENT OF THE CONSTITUTION (ABOLITION OF SEANAD ÉIREANN) BILL 2013 —REPORT

Leasuithe Amendments

1. In page 4, line 5, after “CONSTITUTION” to insert the following:

“AND TO MAKE PROVISION FOR THE REFORM OF SEANAD ÉIREANN IN
THE EVENT THAT THE PROPOSED AMENDMENT IS REJECTED BY
THE PEOPLE”.

—*Senators Katherine Zappone, Mary Ann O'Brien.*

2. In page 4, to delete lines 9 to 17.

—*Senators Terry Leyden, Jim Walsh.*

3. In page 4, lines 9 to 17, to delete all words from and including “proposed—”
in line 9 down to and including “House:” in line 17 and substitute the
following:

“proposed to allow the people of Ireland to exercise their democratic
right to vote whether or not to retain Seanad Éireann or to concentrate
all power in one chamber and the political parties who have
membership of that House.”.

—*Senators David Norris, Sean D. Barrett, Feargal Quinn, John Crown.*

4. In page 4, line 10, after “abolishing” to insert “or reforming”.

—*Senators Jim Walsh, Terry Leyden.*

5. In page 4, line 12, after “abolition” to insert “or reformation”.

—*Senators Jim Walsh, Terry Leyden.*

6. In page 4, line 13, to delete “and Dáil Éireann” and substitute “, Dáil Éireann
and Seanad Éireann”.

—*Senators Jim Walsh, Terry Leyden.*

7. In page 4, between lines 17 and 18, to insert the following:

“(C) in the event of the amendments proposed in this Bill being defeated
at a referendum it is necessary to make provision for the reform of the
Seanad:”.

—*Senators Katherine Zappone, Mary Ann O'Brien.*

8. In page 4, to delete lines 20 and 21.

—*Senators David Norris, Sean D. Barrett, Feargal Quinn, John Crown,
Darragh O'Brien, Diarmuid Wilson, Terry Leyden, Jim Walsh, Thomas Byrne,
Mark Daly, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Denis
O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Mary M. White,*

9. In page 4, between lines 21 and 22, to insert the following:

“2.—The future of Seanad Éireann shall be referred for consideration to the Constitutional Convention in advance of any referendum on the abolition of Seanad Éireann.”.

—Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.

10. In page 4, between lines 21 and 22, to insert the following:

“2.—Any referendum proposing the abolition of Seanad Éireann shall also provide for an option for the reform of Seanad Éireann.”.

—Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.

11. In page 4, between lines 21 and 22, to insert the following:

“2.—By virtue of Article 46 of the Constitution, the following question shall be submitted to the people by way of referendum:

“Do you approve of the proposal to amend the Constitution contained in the undermentioned Bill?

An Bille um an Dara Leasú is Tríocha ar an mBunreacht (Deireadh a Chur le Seanad Éireann), 2013

Thirty-second Amendment of the Constitution (Abolition of Seanad Éireann) Bill 2013

Ná cuir marc ACH SAN AON CHEARNÓG AMHÁIN

Place a mark in ONE SQUARE ONLY

MÁ THOILÍONN TÚ, cuir X sa chearnóg seo

IF YOU APPROVE, mark X in this square

<input type="checkbox"/>	TÁ YES
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MURA dTOILÍONN TÚ, cuir X sa chearnóg seo

IF YOU DO NOT APPROVE, mark X in this square

<input type="checkbox"/>	NÍL NO
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MURA dTOILÍONN TÚ AGUS MÁ CHREIDEANN TÚ GUR CHÓIR AN CHEIST I dTAOBH ATHCHÓIRIÚ SHEANAD ÉIREANN A THARCHUR CHUIG AN gCOINBHINSIÚN BUNREACHTA, cuir X sa chearnóg seo

IF YOU DO NOT APPROVE AND BELIEVE THAT THE QUESTION OF REFORM OF THE SEANAD SHOULD BE REFERRED TO THE CONSTITUTIONAL CONVENTION, mark X in this square

<input type="checkbox"/>	DÉAN AN CHEIST A THARCHUR CHUIG AN gCOINBHINSIÚN BUNREACHTA
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” ”.

—Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.

12. In page 4, to delete lines 22 to 28.

—Senators David Norris, Sean D. Barrett, Feargal Quinn, John Crown,

Darragh O'Brien, Diarmuid Wilson, Terry Leyden, Jim Walsh, Thomas Byrne, Mark Daly, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Mary M. White.

13. In page 4, line 22, after “Constitution” to insert the following:

“, notwithstanding the outcome of the question provided for under *section 2**,”.

—*Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.*

[*This is a reference to the section proposed to be inserted by amendment 11.]

14. In page 4, between lines 28 and 29, to insert the following:

“Seanad Reform in the event of referendum being defeated.

3.—In the event of the proposed amendments set out in *Schedule 1* of this Bill being rejected by the people at a referendum which is held under Article 46, the Taoiseach shall within six months of the date of the aforementioned referendum cause to be initiated a Bill to reform all aspects of Seanad Éireann, to include reforms which, *inter alia*, provide for—

- (a) the election of all members of Seanad Éireann by citizens, including those entitled to citizenship from Northern Ireland,
- (b) the implementation of the Seventh Amendment of the Constitution (Election of Members of Seanad Éireann by Institutions of Higher Education) Act 1979 as endorsed by the people in a referendum,
- (c) the revision of Article 18.1 of the Constitution so as to preclude the nomination by the Taoiseach of members of Seanad Éireann,
- (d) the diminution of the dominant role which political parties play in the nomination of members to Seanad Éireann,
- (e) the expansion of the role of Seanad Éireann so as to include the scrutiny of European Union legislation and other public scrutiny functions, and
- (f) the capping of Seanad election expenses.”.

—*Senators Katherine Zappone, Mary Ann O'Brien.*

15. In page 4, to delete lines 29 and 30 and in page 6, to delete lines 1 to 6.

—*Senators David Norris, Sean D. Barrett, Feargal Quinn, John Crown, Darragh O'Brien, Diarmuid Wilson, Terry Leyden, Jim Walsh, Thomas Byrne, Mark Daly, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Mary M. White, Katherine Zappone, Mary Ann O'Brien.*

16. In page 4, line 29, before “Article” to insert the following:

“Notwithstanding the outcome of the question provided for under *section 2**,”.

—*Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.*

[*This is a reference to the section proposed to be inserted by amendment 11.]

17. In page 6, to delete lines 7 to 24.

—*Senators Darragh O'Brien, Diarmuid Wilson, Terry Leyden, Jim Walsh, Thomas Byrne, Mark Daly, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Mary M. White, Katherine Zappone, Mary Ann O'Brien.*

18. In page 6, line 7, before “Every” to insert the following:

“Notwithstanding the outcome of the question provided for under *section 2**,”.

—*Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.*

[**This is a reference to the section proposed to be inserted by amendment 11.*]

19. In page 6, between lines 24 and 25 to insert the following:

“5.—The Government shall be required immediately following the date of the Referendum to provide for the referral of proposals for reform of Seanad Éireann to the Constitutional Review Convention (if necessary this Convention to be specially reconstituted). The report of this Convention shall be taken into consideration together with existing reports on Seanad reform; that the 1979 Referendum passed by the people and enabling the Government to provide for reform of the University Seats shall be immediately implemented and that the Law Reform Commission be given a special brief to examine legal aspects of Seanad reform.”.

—*Senators David Norris, Sean D. Barrett, Feargal Quinn, John Crown.*

20. In page 6, between lines 24 and 25, to insert the following:

“5.—That in addition to a Yes or No question, an alternative proposal be placed on the ballot paper as follows:

‘That Seanad Éireann be reformed in accordance with the proposals on reform of the composition and functions of Seanad Éireann set out in the report of the sub-Committee on Seanad Reform, presented to Seanad Éireann in 2004.’ ”.

—*Senators Terry Leyden, Jim Walsh.*

21. In page 6, between lines 24 and 25, to insert the following:

“5.—The Minister shall, within one month of the date of the referendum, bring forward a report outlining how the role of Seanad Éireann will be reformed.”.

—*Senators Jim Walsh, Terry Leyden.*

22. In page 6, to delete lines 25 to 34.

—*Senators Darragh O'Brien, Diarmuid Wilson, Terry Leyden, Jim Walsh, Thomas Byrne, Mark Daly, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Mary M. White, Katherine Zappone, Mary Ann O'Brien.*

23. In page 6, lines 25 to 32 to delete all words from and including “(1) The several” in line 25 down to and including “concerned.” in line 32 and substitute the following:

“(1) Each and every separate amendment required by any move to destroy, abolish or in any other way mutilate Seanad Éireann shall be listed and recited in full and printed as such on any ballot paper purporting to provide for such destruction.”.

—*Senators David Norris, Sean D. Barrett, Feargal Quinn, John Crown.*

24. In page 6, to delete lines 33 and 34 and substitute the following:

“(2) This Act may be cited as the Thirty-second Amendment of the Constitution (Reform or Abolition of Seanad Éireann) Act 2013.”.

—*Senators Katherine Zappone, Mary Ann O'Brien.*

25. In page 6, line 34, to delete “Abolition” and substitute “Reform”.
—*Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.*
26. In page 8, to delete lines 1 to 36, and substitute the following:

“SCHEDULE 1

PART 1

Airteagal 19A

- 1 An tUachtarán, Dáil Éireann agus Seanad Éireann atá san Oireachtas.
- 2 Is de réir an Bhunreachta a dhéanfar an tOlltoghchán do Sheanad Éireann.

PART 2

Article 19A

- 1 The Oireachtas shall consist of the President, Dáil Éireann and Seanad Éireann.
- 2 The General Election for Seanad Éireann will take place in accordance with the Constitution.”.

—*Senators Terry Leyden, Jim Walsh.*

27. In page 8, to delete lines 1 to 36.
—*Senators David Norris, Sean D. Barrett, Feargal Quinn, John Crown, Katherine Zappone, Mary Ann O'Brien.*
28. In page 8, to delete lines 8 to 11 and substitute the following:

“2° Is é an lá dá dtagraítear i bhfo-alt 1° den alt seo an 91ú lá a thiocfaidh Dáil Éireann le chéile den chéad uair tar éis an olltoghcháin do chomhaltaí de Dháil Éireann is túisce a bheidh ann tar eis an tAirteagal seo a achtú.”.

and

In page 8, to delete lines 26 to 29 and substitute the following:

“2° The day referred to in subsection 1° hereof is the 91st day on which Dáil Éireann first meets after the general election for members of Dáil Éireann that next takes place after the enactment of this Article.”.

—*Senators Sean D. Barrett, David Norris, Feargal Quinn.*

I leathanach 9, línte 8 go 11 a scriosadh agus an méid seo a leanas a chur ina n-ionad:

“2° Is é an lá dá dtagraítear i bhfo-alt 1° den alt seo an 91ú lá a thiocfaidh Dáil Éireann le chéile den chéad uair tar éis an olltoghcháin do chomhaltaí de Dháil Éireann is túisce a bheidh ann tar eis an tAirteagal seo a achtú.”.

agus

I leathanach 9, línte 26 go 29 a scriosadh agus an méid seo a leanas a chur ina n-ionad:

“2° The day referred to in subsection 1° hereof is the 91st day on which Dáil Éireann first meets after the general election for members of Dáil Éireann that next takes place after the enactment of this Article.”.

—*Na Seanadóirí Sean D. Barrett, David Norris, Fearghal Ó Cuinn.*

29. In page 8, to delete lines 23 to 34 and substitute the following:

“In advance of any referendum on the abolition of Seanad Éireann, the future existence, functioning and reform of Seanad Éireann should be referred by the Government to the Constitutional Convention, established by a motion passed by the Dáil on 10 July 2012 and by the Seanad on 12 July 2012, for its consideration, and that the Constitutional Convention be required to report and make recommendations to the Houses of the Oireachtas as per the aforementioned motion.”.

—*Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.*

30. In page 8, to delete lines 23 to 34 and substitute the following:

“In the event of a referendum on the abolition of Seanad Éireann under Article 46 of the Constitution, the people shall have, in addition to answer yes, or no, the option of requiring the Government to refer the question of the future existence, functioning and reform of Seanad Éireann to the Constitutional Convention, established by a motion passed by the Dáil on 10 July 2012 and by the Seanad on 12 July 2012, for its consideration, and that the Constitutional Convention be required to report and make recommendations to the Houses of the Oireachtas as per the aforementioned motion.”.

—*Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.*

31. In page 8, to delete lines 32 to 34 and substitute the following:

“2 1° Notwithstanding the enactment of this Article, if Dáil Éireann elects to call a general election for Seanad Éireann following the first meeting of Dáil Éireann, then Dáil Éireann will be obligated to create a Joint Oireachtas Committee on Seanad Éireann reform and be bound by Article 18.8 hereof.

2 2° Before the end of the tenure of the Dáil Éireann and Seanad Éireann elected in the general election following the enactment of this Article, the Joint Oireachtas Committee will be obligated to present proposals for reform of Seanad Éireann to both Houses of the Oireachtas with reforms implemented for the next Seanad Éireann general election.”.

—*Senators Sean D. Barrett, David Norris, Feargal Quinn.*

32. In page 8, to delete lines 35 and 36.

—*Senators Sean D. Barrett, David Norris, Feargal Quinn.*

33. In page 10, to delete lines 1 to 7.

—*Senators Katherine Zappone, Mary Ann O'Brien.*

34. In page 10, to delete lines 6 and 7 and substitute the following:

“2° The Oireachtas shall consist of the President and two Houses, a House of Representatives to be called Dáil Éireann and a Senate to be called Seanad Éireann.”.

—*Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.*

35. In page 10, line 7, after “Éireann” to insert “together with Seanad Éireann”.

—*Senators David Norris, Sean D. Barrett, Feargal Quinn, John Crown.*

36. In page 12, to delete lines 1 to 57 and to delete pages 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46 and 48.
—*Senators David Norris, Sean D. Barrett, Feargal Quinn, John Crown.*
37. In page 12, lines 7 to 15, to delete row 1.
and
In page 30, lines 44 to 50, to delete row 1.
—*Senators Katherine Zappone, Mary Ann O'Brien.*
38. In page 12, line 15, after “nó” to insert “1,000 toghthóir cláraithe”.
and
In page 30, line 50, after “or” to insert “1,000 registered electors”.
—*Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.*
39. In page 12, lines 16 to 28, to delete row 2.
and
In page 32, lines 1 to 13, to delete row 2.
—*Senators Katherine Zappone, Mary Ann O'Brien.*
40. In page 12, lines 29 to 32, to delete row 3.
and
In page 32, lines 14 to 17, to delete row 3.
—*Senators Katherine Zappone, Mary Ann O'Brien.*
41. In page 12, lines 33 to 57 and in page 14, lines 1 to 19, to delete row 4.
and
In page 32, lines 18 to 48, and in page 34 lines 1 to 17, to delete row 4.
—*Senators Katherine Zappone, Mary Ann O'Brien.*
42. In page 14, lines 20 to 27, to delete row 5.
and
In page 34, lines 18 to 25, to delete row 5.
—*Senators Katherine Zappone, Mary Ann O'Brien.*
43. In page 14, lines 28 to 34, to delete row 6.
and
In page 34, lines 26 to 33, to delete row 6.
—*Senators Katherine Zappone, Mary Ann O'Brien.*
44. In page 14, lines 35 to 46, to delete row 7.
and
In page 34, lines 34 to 44, to delete row 7.
—*Senators Katherine Zappone, Mary Ann O'Brien.*

45. In page 14, lines 47 to 53 and in page 16, lines 1 to 9, to delete row 8.
and
In page 34, lines 45 to 57, to delete row 8.
—*Senators Katherine Zappone, Mary Ann O'Brien.*
46. In page 16, lines 10 to 20, to delete row 9.
and
In page 36, lines 1 to 11, to delete row 9.
——*Senators Katherine Zappone, Mary Ann O'Brien.*
47. In page 16, lines 21 to 50 and in page 18, lines 1 to 14, to delete row 10.
and
In page 36, lines 12 to 50, to delete row 10.
—*Senators Katherine Zappone, Mary Ann O'Brien.*
48. In page 18, lines 15 to 22, to delete row 11.
and
In page 38, lines 1 to 8, to delete row 11.
—*Senators Katherine Zappone, Mary Ann O'Brien.*
49. In page 18, lines 23 to 47, to delete row 12.
and
In page 38, lines 9 to 30, to delete row 12.
—*Senators Katherine Zappone, Mary Ann O'Brien.*
50. In page 20, lines 1 to 23, to delete row 13.
and
In page 38, lines 31 to 34, to delete row 13.
—*Senators Katherine Zappone, Mary Ann O'Brien.*
51. In page 20, lines 24 to 40, to delete row 14.
and
In page 38, lines 35 to 42, to delete row 14.
—*Senators Katherine Zappone, Mary Ann O'Brien.*
52. In page 20, lines 41 to 51 and in page 22, lines 1 to 16, to delete row 15.
and
In page 38, lines 43 to 52, and in page 40, lines 1 to 15 to delete row 15.
—*Senators Katherine Zappone, Mary Ann O'Brien.*
53. In page 22, line 17, to delete row 16.
and
In page 40, line 16, to delete row 16.

—*Senators Katherine Zappone, Mary Ann O'Brien.*

54. In page 22, lines 18 to 23, to delete row 17.

and

In page 40, lines 17 to 21, to delete row 17.

—*Senators Katherine Zappone, Mary Ann O'Brien.*

55. In page 22, lines 24 and 25, to delete row 18.

and

In page 40, lines 22 and 23, to delete row 18.

—*Senators Katherine Zappone, Mary Ann O'Brien.*

56. In page 22, lines 26 to 41, to delete row 19.

and

In page 40, lines 24 to 39, to delete row 19.

—*Senators Katherine Zappone, Mary Ann O'Brien.*

57. In page 22, lines 42 and 43, to delete row 20.

and

In page 40, lines 40 and 41, to delete row 20.

—*Senators Katherine Zappone, Mary Ann O'Brien.*

58. In page 22, lines 44 to 57, to delete row 21.

and

In page 40, lines 42 to 47, to delete row 21.

—*Senators Katherine Zappone, Mary Ann O'Brien.*

59. In page 24, lines 1 to 5, to delete row 22.

and

In page 40, lines 48 to 51, to delete row 22.

—*Senators Katherine Zappone, Mary Ann O'Brien.*

60. In page 24, lines 6 to 22, to delete row 23.

and

In page 42, lines 1 to 16, to delete row 23.

—*Senators Katherine Zappone, Mary Ann O'Brien.*

61. In page 24, lines 23 to 32, to delete row 24.

and

In page 42, lines 17 to 26, to delete row 24.

—*Senators Katherine Zappone, Mary Ann O'Brien.*

62. In page 24, lines 33 to 36, to delete row 25.

and

- In page 42, lines 27 to 30, to delete row 25.
—*Senators Katherine Zappone, Mary Ann O'Brien.*
63. In page 24, lines 37 and 38, to delete row 26.
and
In page 42, lines 31 and 32, to delete row 26.
—*Senators Katherine Zappone, Mary Ann O'Brien.*
64. In page 24, lines 39 to 46, to delete row 27.
and
In page 42, lines 33 to 38, to delete row 27.
—*Senators Katherine Zappone, Mary Ann O'Brien.*
65. In page 26, lines 1 to 26, to delete row 28.
and
In page 42, lines 39 to 59, to delete row 28.
—*Senators Katherine Zappone, Mary Ann O'Brien.*
66. In page 26, lines 27 to 32, to delete row 29.
and
In page 44, lines 1 to 6, to delete row 29.
—*Senators Katherine Zappone, Mary Ann O'Brien.*
67. In page 26, lines 33 to 36, to delete row 30.
and
In page 44, lines 7 to 10, to delete row 30.
—*Senators Katherine Zappone, Mary Ann O'Brien.*
68. In page 26, lines 37 to 41, to delete row 31.
and
In page 44, lines 11 to 15, to delete row 31.
—*Senators Katherine Zappone, Mary Ann O'Brien.*
69. In page 26, lines 42 to 47, to delete row 32.
and
In page 44, lines 16 to 21, to delete row 32.
—*Senators Katherine Zappone, Mary Ann O'Brien.*
70. In page 26, lines 48 to 51, to delete row 33.
and
In page 44, lines 22 to 25, to delete row 33.
—*Senators Katherine Zappone, Mary Ann O'Brien.*
71. In page 28, lines 1 to 35, to delete row 34.

and

In page 44, lines 26 to 52, and in page 46, lines 1 to 10, to delete row 34.

—*Senators Katherine Zappone, Mary Ann O'Brien.*

72. In page 28, lines 36 to 39, to delete row 35.

and

In page 46, lines 11 to 14, to delete row 35.

—*Senators Katherine Zappone, Mary Ann O'Brien.*

73. In page 28, lines 40 to 55 and in page 30, lines 1 to 20, to delete row 36.

and

In page 46, lines 15 to 51, to delete row 36.

—*Senators Katherine Zappone, Mary Ann O'Brien.*

74. In page 30, lines 21 to 25, to delete row 37.

and

In page 46, lines 52 to 56, to delete row 37.

—*Senators Katherine Zappone, Mary Ann O'Brien.*

75. In page 30, lines 26 to 32, to delete row 38.

and

In page 48, lines 1 to 8, to delete row 38.

—*Senators Katherine Zappone, Mary Ann O'Brien.*

76. In page 30, lines 33 to 36, to delete row 39.

and

In page 48, lines 9 to 12, to delete row 39.

—*Senators Katherine Zappone, Mary Ann O'Brien.*

77. In page 30, lines 37 and 38, to delete row 40.

and

In page 48, lines 13 and 14, to delete row 40.

—*Senators Katherine Zappone, Mary Ann O'Brien.*

78. In page 50, to delete lines 1 to 50 and to delete pages 52, 54 and 56.

—*Senators David Norris, Sean D. Barrett, Feargal Quinn, John Crown,
Katherine Zappone, Mary Ann O'Brien.*