



DÁIL 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 COISTE
COMMITTEE AMENDMENTS**

[It is proposed to take Second and Remaining stages of this Bill today. Accordingly, this list of amendments is circulated in advance of the conclusion of the Second Stage. 19-06-13]

DÁIL ÉIREANN

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

—AN COISTE

THIRTY-SECON DAMENDMENT OF THE CONSTITUTION (ABOLITION OF SEANAD ÉIREANN) BILL 2013 —COMMITTEE STAGE

*Leasuithe
Amendments*

SECTION 1 ALT 1

Section opposed.

—Stephen Donnelly, Micheál Martin, Colm Keaveney.

Cuirtear i gcoinne an ailt.

—Stephen Donnelly, Micheál Ó Máirtín, Colm Ó Caomhnaigh.

SECTION 2 ALT 2

1. In page 4, before section 2, to insert the following new section:

“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.”.

—Aengus Ó Snodaigh.

2. In page 4, before section 2, to insert the following new section:

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

—Aengus Ó Snodaigh.

3. In page 4, before section 2, to insert the following new section:

“2.—By virtue of Article 46 of the Constitution, the following question shall be submitted to be 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

[No. 63 of 2013]

[19 June, 2013]

[SECTION 2]

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

	TÁ YES
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MURA dTOILÍONN TÚ, cuir X sa chearnóg seo
IF YOU DO NOT APPROVE, mark X in this square

	NÍL NO
--	-----------

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

	DÉAN AN CHEIST A THARCHUR CHUIG AN gCOINBHINSIÚN BUNREACHTA
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” ”
—Aengus Ó Snodaigh.

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

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

—Aengus Ó Snodaigh.

[*This is a reference to the section proposed to be inserted by amendment 3.]

Section opposed.

—Stephen Donnelly, Micheál Martin, Colm Keaveney.

Cuirtear i gcoinne an ailt.

—Stephen Donnelly, Micheál Ó Máirtín, Colm Ó Caomhnaigh.

SECTION 3

ALT 3

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

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

—Aengus Ó Snodaigh.

[*This is a reference to the section proposed to be inserted by amendment 3.]

Section opposed.

—Stephen Donnelly, Micheál Martin, Colm Keaveney.

[SECTION 3]

Cuirtear i gcoinne an ailt.

—Stephen Donnelly, Micheál Ó Máirtín, Colm Ó Caomhnaigh.

SECTION 4

ALT 4

6. In page 6, subsection (1), line 7, before “Every” to insert the following:

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

—Aengus Ó Snodaigh.

[*This is a reference to the section proposed to be inserted by amendment 3.]

Section opposed.

—Stephen Donnelly, Micheál Martin, Colm Keaveney.

Cuirtear i gcoinne an ailt.

—Stephen Donnelly, Micheál Ó Máirtín, Colm Ó Caomhnaigh.

SECTION 5

ALT 5

7. In page 6, lines 33 and 34, to delete subsection (2) and substitute the following:

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

—Aengus Ó Snodaigh.

Section opposed.

—Stephen Donnelly, Micheál Martin, Colm Keaveney.

Cuirtear i gcoinne an ailt.

—Stephen Donnelly, Micheál Ó Máirtín, Colm Ó Caomhnaigh.

SCHEDULE 1

SCEIDEAL 1

8. 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.”.

—Aengus Ó Snodaigh.

9. 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

[*SCHEDULE 1*]

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.”.

—Aengus Ó Snodaigh.

SCHEDULE 2
SCEIDEAL 2

Schedule opposed.

—Aengus Ó Snodaigh.

SCHEDULE 3
SCEIDEAL 3

- 10.** In Part 1, page 12, line 10, to delete “ceithre dhuine dhéag” and substitute “deichniúr”.

and

In Part 2, page 30, line 47, to delete “fourteen” and substitute “ten”.

—Catherine Murphy.

I gCuid 1, leathanach 13, líne 9, “ceithre dhuine dhéag” a scriosadh agus “deichniúr” a chur ina ionad.

agus

I gCuid 2, leathanach 31, líne 44, “fourteen” a scriosadh agus “ten” a chur ina ionad.

—Catriona Uí Mhurchú

- 11.** In Part 1, page 12, line 15, after “nó” to insert “1,000 toghthóir cláraithe”.

and

In Part 2, page 30, line 50, after “or” to insert “1,000 registered electors”.

—Aengus Ó Snodaigh.

- 12.** In Part 1, page 12, lines 16 to 57, pages 14, 16, 18, 20, 22, 24, 26, 28 and in page 30, lines 1 to 38 to delete rows 2 to 40.

and

In Part 2, pages 32, 34, 36, 38, 40, 42, 44, 46 and 48, to delete rows 2 to 40.

—Aengus Ó Snodaigh.

- 13.** In Part 1, page 12, line 48, to delete “tríocha” and substitute “caoga”.

and

In Part 2, page 32, line 34, to delete “thirty” and substitute “fifty”.

—Catherine Murphy.

[SCHEDULE 3]

I gCuid 1, leathanach 13, líne 47, “tríocha” a scriosadh agus “caoga” a chur ina ionad.
agus

I gCuid 2, leathanach 33, líne 32, “thirty” a scriosadh agus “fifty” a chur ina ionad.

—Catriona Uí Mhurchú

14. In Part 1, page 24, lines 37 and 38, to delete row 26 and substitute the following:

“

26	Article 27	<p>The substitution of “Dáil Éireann” for “dhá Theach an Oireachtais” in the first sentence.</p> <p>The substitution of the following for section 1:</p> <p>“1. Is cead do thrí cheathrú ar a laghad de líon iomlán na n-údarás áitiúil tofa, sainráite trí rún poiblí ó gach ceann díobh, i bhfochair trian ar a laghad de chomhaltaí Dháil Éireann, comhachainí a chur chun an Uachtaráin faoin Airteagal seo, á iarraidh air diúltú dá lámh a chur le haon Bhille lena mbaineann an tAirteagal seo agus don Bhille sin a fhógairt ina dhlí, toisc togra a bheith ann ina bhfuil an oiread sin tábhacht náisiúnta gur chóir breith an phobail a fháil air.”.</p> <p>In section 3, the substitution of “Dáil Éireann” for “dhá Theach an Oireachtais”.</p> <p>In section 4.1°, the substitution of “Dáil Éireann” for “dhá Theach an Oireachtais”.</p> <p>The substitution of the following section for section 5.1°:</p> <p>“1° I gcás gach Bille is siocair d’achainí faoin Airteagal seo, más é breith an Uachtaráin go bhfuil togra ann ina bhfuil an oiread sin tábhacht náisiúnta gur chóir breith an phobail a fháil air, ní foláir dó scríbhinn faoina lámh agus faoina Shéala a chur go dtí an Taoiseach, go dtí Cathaoirleach Dháil Éireann agus go dtí comhaltaí gach údaráis áitiúil sa Stát á chur sin in iúl dóibh, agus diúltú dá lámh a chur leis an mBille sin agus dá fhógairt ina dhlí mura nglactar, agus go dtí go nglactar, an togra:</p>
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[SCHEDULE 3]

		<p>i le toil an phobail i Reifreann de réir forálacha alt 2 d'Airteagal 47 den Bhunreacht seo, taobh istigh d'ocht mí dhéag ón lá a bheireann an tUachtarán a bhreith, nó</p> <p>ii le rún ó Dháil Éireann arna rith taobh istigh den tréimhse réamhráite i ndiaidh lánscoir agus ationól do Dháil Éireann.”.</p> <p>The substitution of the following for section 6:</p> <p>“6. I gcás gach Bille is siocair d'achainí faoin Airteagal seo, más é breith an Uachtaráin nach bhfuil aon togra ann ina bhfuil an oiread sin tábhacht náisiúnta gur chóir breith an phobail a fháil air, ní foláir dó scríbhinn faoina lámh agus faoina Shéala a chur go dtí an Taoiseach, go dtí Cathaoirleach Dháil Éireann agus go dtí comhaltaí gach údaráis áitiúil sa Stát á chur sin in iúl dóibh, agus a lámh a chur leis an mBille sin lá nach déanaí ná aon lá dhéag tar éis an lae a meastar a ritheadh an Bille sin ag dhá Theach an Oireachtais, agus é a fhógairt go cuí ina dhlí.”.</p>
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and

In Part 2, page 42, lines 31 and 32, to delete row 26 and substitute the following:

“

26	Article 27	<p>The substitution of “Dáil Éireann” for “both Houses of the Oireachtas” in the first sentence.</p> <p>The substitution of the following for section 1:</p> <p>“1. Not less than three-fourths of the total number of elected local authorities, expressed by a public resolution of each, and not less than one-third of the members of Dáil Éireann may by means of a joint petition addressed to the President by them under this Article request the President to decline to sign and promulgate as a law any Bill to which this Article applies on the ground that the Bill contains a proposal of such national importance that the will of the people thereon ought to be ascertained.”.</p> <p>In section 3, the substitution of “Dáil Éireann” for “both Houses of the Oireachtas”.</p>
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		<p>In section 4.1°, the substitution of “Dáil Éireann” for “both Houses of the Oireachtas”.</p> <p>The substitution of the following section for section 5.1°:</p> <p>“1° In every case in which the President decides that a Bill the subject of a petition under this Article contains a proposal of such national importance that the will of the people thereon ought to be ascertained, he shall inform the Taoiseach, the Chairman of Dáil Éireann and the members of each local authority in the State accordingly in writing under his hand and Seal and shall decline to sign and promulgate such Bill as a law unless and until the proposal shall have been approved either:</p> <p style="padding-left: 40px;">i by the people at a Referendum in accordance with the provisions of section 2 of Article 47 of this Constitution within a period of eighteen months from the date of the President’s decision, or</p> <p style="padding-left: 40px;">ii by a resolution of Dáil Éireann passed within the said period after a dissolution and re-assembly of Dáil Éireann.”.</p> <p>The substitution of the following section for section 6:</p> <p>“6. In every case in which the President decides that a Bill the subject of a petition under this Article does not contain a proposal of such national importance that the will of the people thereon ought to be ascertained, he shall inform the Taoiseach, the Chairman of Dáil Éireann and the members of each local authority in the State accordingly in writing under his hand and Seal, and such Bill shall be signed by the President not later than eleven days after the date on which the Bill shall have been deemed to have been passed by both Houses of the Oireachtas and shall be duly promulgated by him as a law.”.</p>
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—Catherine Murphy.

I gCuid 1, leathanach 25, líne 36, rang 26 a scriosadh agus an méid seo a leanas a chur ina ionad:

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26	Airteagal 27	<p>“Dáil Éireann” a chur in ionad “dhá Theach an Oireachtais” sa chéad abairt.</p> <p>An méid seo a leanas a chur in ionad alt 1:</p> <p>“1. Is cead do thrí cheathrú ar a laghad de líon iomlán na n-údarás áitiúil tofa, sainráite trí rún poiblí ó gach ceann díobh, i bhfochair trian ar a laghad de chomhaltaí Dháil Éireann, comhachainí a chur chun an Uachtaráin faoin Airteagal seo, á iarraidh air diúltú dá lámh a chur le haon Bhille lena mbaineann an tAirteagal seo agus don Bhille sin a fhógairt ina dhlí, toisc togra a bheith ann ina bhfuil an oiread sin tábhacht náisiúnta gur chóir breith an phobail a fháil air.”.</p> <p>In alt 3, “Dáil Éireann” a chur in ionad “dhá Theach an Oireachtais”.</p> <p>In alt 4.1°, “Dáil Éireann” a chur in ionad “dhá Theach an Oireachtais”.</p> <p>An t-alt seo a leanas a chur in ionad alt 5.1°:</p> <p>“1° I gcás gach Bille is siocair d’achainí faoin Airteagal seo, más é breith an Uachtaráin go bhfuil togra ann ina bhfuil an oiread sin tábhacht náisiúnta gur chóir breith an phobail a fháil air, ní foláir dó scríbhinn faoina láimh agus faoina Shéala a chur go dtí an Taoiseach, go dtí Cathaoirleach Dháil Éireann agus go dtí comhaltaí gach údaráis áitiúil sa Stát á chur sin in iúl dóibh, agus diúltú dá lámh a chur leis an mBille sin agus dá fhógairt ina dhlí mura nglactar, agus go dtí go nglactar, an togra:</p> <p>i le toil an phobail i Reifreann de réir forálacha alt 2 d’Airteagal 47 den Bhunreacht seo, taobh istigh d’ocht mí dhéag ón lá a bheireann an tUachtarán a bhreith, nó</p> <p>ii le rún ó Dháil Éireann arna rith taobh istigh den tréimhse réamhráite i ndiaidh lánscore agus ationól do Dháil Éireann.”.</p> <p>An t-alt seo a leanas a chur in ionad alt 6:</p>
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		<p>“6. I gcás gach Bille is siocair d’achainí faoin Airteagal seo, más é breith an Uachtaráin nach bhfuil aon togra ann ina bhfuil an oiread sin tábhacht náisiúnta gur chóir breith an phobail a fháil air, ní foláir dó scríbhinn faoina lámh agus faoina Shéala a chur go dtí an Taoiseach, go dtí Cathaoirleach Dháil Éireann agus go dtí comhaltaí gach údaráis áitiúil sa Stát á chur sin in iúl dóibh, agus a lámh a chur leis an mBille sin lá nach déanaí ná aon lá dhéag tar éis an lae a meastar a ritheadh an Bille sin ag dhá Theach an Oireachtais, agus é a fhógairt go cuí ina dhlí.”.</p>
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agus

I gCuid 2, leathanach 43, líne 30, rang 26 a scriosadh agus an méid seo a leanas a chur ina ionad:

“

26	Airteagal 27	<p>“Dáil Éireann” a chur in ionad “dhá Theach an Oireachtais” sa chéad abairt.</p> <p>An méid seo a leanas a chur in ionad alt 1:</p> <p>“1. Not less than three-fourths of the total number of elected local authorities, expressed by a public resolution of each, and not less than one-third of the members of Dáil Éireann may by means of a joint petition addressed to the President by them under this Article request the President to decline to sign and promulgate as a law any Bill to which this article applies on the ground that the Bill contains a proposal of such national importance that the will of the people thereon ought to be ascertained.”.</p> <p>In alt 3, “Dáil Éireann” a chur in ionad “both Houses of the Oireachtas”.</p> <p>In alt 4.1°, “Dáil Éireann” a chur in ionad “both Houses of the Oireachtas”.</p> <p>An t-alt seo a leanas a chur in ionad alt 5.1°:</p>
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	<p>“1° In every case in which the President decides that a Bill the subject of a petition under this Article contains a proposal of such national importance that the will of the people thereon ought to be ascertained, he shall inform the Taoiseach, the Chairman of Dáil Éireann and the members of each local authority in the State accordingly in writing under his hand and Seal and shall decline to sign and promulgate such Bill as a law unless and until the proposal shall have been approved either:</p> <p>i by the people at a Referendum in accordance with the provisions of section 2 of Article 47 of this Constitution within a period of eighteen months from the date of the President’s decision, or</p> <p>ii by a resolution of Dáil Éireann passed within the said period after a dissolution and re-assembly of Dáil Éireann.”.</p> <p>An t-alt seo a leanas a chur in ionad alt 6:</p> <p>“6. In every case in which the President decides that a Bill the subject of a petition under this Article does not contain a proposal of such national importance that the will of the people thereon ought to be ascertained, he shall inform the Taoiseach, the Chairman of Dáil Éireann and the members of each local authority in the State accordingly in writing under his hand and Seal, and such Bill shall be signed by the President not later than eleven days after the date on which the Bill shall have been deemed to have been passed by both Houses of the Oireachtas and shall be duly promulgated by him as a law.”.</p>
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—Catriona Uí Mhurchú

15. In Part 1, page 28, lines 50 and 51, to delete “dhá thríán” and substitute “trí cheathrú”.

and

In Part 2, page 46, line 27, to delete “two-thirds” and substitute “three-fourths”.

—Catherine Murphy.

I gCuid 1, leathanach 29, líne 53, “dhá thríán” a scriosadh agus “trí cheathrú” a chur ina ionad.

agus

[*SCHEDULE 3*]

I gCuid 2, leathanach 47, líne 26, “two-thirds” a scriosadh agus “three-fourths” a chur ina ionad.

—Catriona Uí Mhurchú