



**THIRTIETH AMENDMENT OF THE CONSTITUTION
(TREATY ON STABILITY, COORDINATION AND
GOVERNANCE IN THE ECONOMIC AND MONETARY
UNION) BILL 2012**

EXPLANATORY MEMORANDUM

Purpose of Bill

The Thirtieth Amendment of the Constitution Bill 2012 is necessary for the State to ratify the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union (hereafter referred to as “The Stability Treaty”). The Stability Treaty was signed on behalf of the government by the Taoiseach in Brussels on 2 March 2012; a total of twenty-five of the twenty-seven member states of the European Union have signed it and a ratification process is now under way in each member state. The Stability Treaty provides that it will enter into force when it has been ratified by twelve contracting parties whose currency is the euro.

With a view to securing economic recovery and sustainable growth, the key provisions of the Stability Treaty relate to a strengthening of rules underpinning the Stability and Growth Pact agreed by EU Member States in relation to the euro currency. As the full title of the Stability Treaty states, its core aims are improved stability, coordination and governance in the Economic and Monetary Union.

Content of Bill

The Bill provides for the insertion of the following subsection after subsection 9 of Article 29.4 of the Constitution, in order to ratify the Stability Treaty and enable the Oireachtas to adopt any legislation necessary in order to implement its provisions:

“10° The State may ratify the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union done at Brussels on the 2nd day of March 2012. No provision of this Constitution invalidates laws enacted, acts done or measures adopted by the State that are necessitated by the obligations of the State under that Treaty or prevents laws enacted, acts done or measures adopted by bodies competent under that Treaty from having the force of law in the State.”.

*Tánaiste and Minister for Foreign Affairs and Trade,
March, 2012.*



**AN BILLE UM AN TRÍOCHADÚ LEASÚ AR AN
mBUNREACTH (AN CONRADH AR CHOBHSAÍOCHT, AR
CHOMHORDÚ AGUS AR RIALACHAS SAN AONTAS
EACNAMAÍOCH AGUS AIRGEADAÍOCHTA), 2012**

MEABHRÁN MÍNITHEACH

Cuspóir an Bhille

Tá gá leis an mBille um an Tríochadú Leasú ar an mBunreacht, 2012 chun go ndaingneoidh an Stát an Conradh ar Chobhsaíocht, ar Chomhordú agus ar Rialachas san Aontas Eacnamaíoch agus Airgeadaíochta (dá ngairtear “An Conradh Cobhsaíochta” anseo ina dhiaidh seo). Shínigh an Taoiseach an Conradh Cobhsaíochta thar ceann an rialtais sa Bhruiséal an 2 Márta 2012; tá sé sínithe ag cúig cinn is fiche san iomlán de sheacht mBallstát is fiche an Aontais Eorpaigh agus tá próiseas daingniúcháin ar siúl anois i ngach Ballstát. Foráiltear sa Chonradh Cobhsaíochta go dtiocfaidh sé i bhfeidhm ar é a bheith daingnithe ag dhá pháirtí chonarthacha dhéag arb é an euro an t-airgeadra acu.

D’fhonn téarnamh eacnamaíoch agus fás inbhuanaithe a áirithiú, baineann príomhfhórlacha an Chonartha Cobhsaíochta le neartú rialacha is dúshraith don Chomhshocrú Cobhsaíochta agus Fáis a chomhaontaigh Ballstáit AE i ndáil le hairgeadra an euro. Mar a deirtear i dteideal iomlán an Chonartha Cobhsaíochta, is iad cobhsaíocht fheabhsaithe, comhordú feabhsaithe agus rialachas feabhsaithe san Aontas Eacnamaíoch agus Airgeadaíochta na bunaidhmeanna atá leis.

Ábhar an Bhille

Déantar foráil sa Bhille maidir leis an bhfo-alt seo a leanas a chur isteach i ndiaidh fho-alt 9 d’Airteagal 29.4 den Bhunreacht, d’fhonn an Conradh Cobhsaíochta a dhaingniú agus a chumasú don Oireachtas aon reachtaíocht is gá a ghlacadh d’fhonn a chuid fórlacha a chur i ngníomh:

“10^o Féadfaidh an Stát an Conradh ar Chobhsaíocht, ar Chomhordú agus ar Rialachas san Aontas Eacnamaíoch agus Airgeadaíochta arna dhéanamh sa Bhruiséal an 2ú lá de Mhárta 2012 a dhaingniú. Ní dhéanann aon fhoráil atá sa Bhunreacht seo dlíthe a d’achtaigh, gníomhartha a rinne nó bearta a ghlac an Stát de bhíthin riachtanais na n-oibleagáidí atá ar an Stát faoin gConradh sin a chur ó bhail dlí ná cosc a chur le dlíthe a d’achtaigh, gníomhartha a rinne nó bearta a ghlac comhlachtaí atá inniúil faoin gConradh sin ó fheidhm dlí a bheith acu sa Stát.”.

*An Tánaiste agus Aire Gnóthaí Eachtracha agus Trádála,
Márta, 2012*