

# ÉIRE

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## BILLE UM AN gCEAD LEASU AR AN mBUNREACTH, 1939. FIRST AMENDMENT OF THE CONSTITUTION BILL, 1939.

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*Mar do ritheadh ag dhá Thigh an Oireachtais.  
As passed by both Houses of the Oireachtas.*

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### ARRANGEMENT OF SECTIONS.

#### Section.

1. Enactment of the Amendment.
2. Citation.



# ÉIRE

BILLE UM AN gCEAD LEASU AR AN mBUNREACHT, 1939.  
FIRST AMENDMENT OF THE CONSTITUTION BILL, 1939.

## BILL

*entitled*

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AN ACT TO AMEND THE CONSTITUTION.

WHEREAS by virtue of Article 46 of the Constitution any provision of the Constitution may be amended in the manner provided by that Article :

AND WHEREAS it is provided by Article 51 of the Constitution 10  
that any of the provisions of the Constitution may, subject as hereinafter provided, be amended by the Oireachtas within a period of three years after the date on which the first President shall have entered upon his office :

AND WHEREAS the first President entered upon his office on 15  
the 25th day of June, 1938 :

AND WHEREAS sub-section 3<sup>o</sup> of section 3 of Article 28 of  
the Constitution is as follows :—

“ 3<sup>o</sup>. Nothing in this Constitution shall be invoked to invalidate  
any law enacted by the Oireachtas which is expressed to be for the 20  
purpose of securing the public safety and the preservation of the  
State in time of war or armed rebellion, or to nullify any act done  
or purporting to be done in pursuance of any such law.”

AND WHEREAS it is proposed that the Constitution be  
amended by inserting the following words at the end of and as 25  
part of sub-section 3<sup>o</sup> of section 3 of Article 28, that is to say :—

“ In this sub-section ‘ time of war ’ includes a time when  
there is taking place an armed conflict in which the State is  
not a participant but in respect of which each of the Houses  
of the Oireachtas shall have resolved that, arising out of such 30  
armed conflict, a national emergency exists affecting the vital  
interests of the State.” :

BE IT THEREFORE ENACTED BY THE OIREACHTAS  
AS FOLLOWS :—

Enactment of the  
Amendment.

1.—Upon the passing of this Act the said proposed amendment 35  
of the Constitution shall forthwith become and be effective and the  
following words, that is to say :—

“ In this sub-section ‘ time of war ’ includes a time when  
there is taking place an armed conflict in which the State is  
not a participant but in respect of which each of the Houses 40  
of the Oireachtas shall have resolved that, arising out of such  
armed conflict, a national emergency exists affecting the vital  
interests of the State.”

shall be inserted at the end of and as part of sub-section 3<sup>o</sup> of  
section 3 of Article 28 of the Constitution. 45



2.—(1) The amendment of the Constitution effected by this Act Citation shall be known as and may for all purposes be referred to as the First Amendment of the Constitution.

(2) This Act may be cited as the First Amendment of the Constitution Act, 1939.



Éire.

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BILLE UM AN gCEAD LEASU AR AN  
mBUNREACTH, 1939.

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BILLE

*dá ngairmtear*

Acht chun leasú do dhéanamh ar an mBunreacht.

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*Rithte ag dhá Thigh an Oireachtais,  
2adh Meán Fhómhair, 1939.*

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BAILE ATHA CLIATH:  
FOILLSITHE AG OIFIG AN tSOLATHAIR.

Le ceannach trí aon díoltóir leabhar, no díreach  
6 Oifig Díolta Foillseacháin Rialtais, 3-4, Sráid  
an Choláiste, Baile Atha Cliath.

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Wt.—246. 275. 9/39. C.&Co. (7192).

Éire.

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FIRST AMENDMENT OF THE  
CONSTITUTION BILL, 1939.

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BILL

*entitled*

An Act to amend the Constitution.

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*Passed by both Houses of the Oireachtas,  
2nd September, 1939.*

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