



**AN BILLE UM AN OCHTÚ LEASÚ IS FICHE AR AN
mBUNREACTH (CONRADH LIOSPÓIN) 2009**

Mar a tionscnaíodh

RIAR NA NALT

Section

1. Airteagal 29 den Bhunreacht a leasú.
2. Lua.

AN SCEIDEAL

CUID 1

CUID 2



AN BILLE UM AN OCHTÚ LEASÚ IS FICHE AR AN
mBUNREACTH (CONRADH LIOSPÓIN) 2009

BILLE

dá ngairtear

5 ACHT CHUN AN BUNREACTH A LEASÚ.

DE BHRÍ gur cead, de bhua Airteagal 46 den Bhunreacht, foráil ar bith den Bhunreacht a leasú ar an modh a shocraítear leis an Airteagal sin:

10 AGUS DE BHRÍ go bhfuil beartaithe Airteagal 29 den Bhunreacht a leasú:

ACHTAÍTEAR AG AN OIREACHTAS AR AN ÁBHAR SIN
MAR A LEANAS:

1.—(1) Leasaítear leis seo mar a leanas Airteagal 29 den Bhunreacht: Airteagal 29 den Bhunreacht a leasú.

15 (a) déanfar, i bhfo-alt 3^o d’alt 4 den téacs Gaeilge—

20 (i) na focail “den Chomhphobal Eorpach do Ghual agus Cruach (do bunuigheadh le Connradh do sínigheadh i bPáras an 18adh lá d’Aibreán, 1951), de Chomhphobal Eacnamaíochta na hEorpa (do bunuigheadh le Connradh do sínigheadh insan Róimh an 25adh lá de Mhárta, 1957) agus”, agus

(ii) an dara habairt,

a aisghairm,

(b) déanfar, i bhfo-alt 3^o d’alt 4 den téacs Béarla—

25 (i) na focail “the European Coal and Steel Community (established by Treaty signed at Paris on the 18th day of April, 1951), the European Economic Community (established by Treaty signed at Rome on the 25th day of March, 1957) and”, agus

30 (ii) an dara habairt,

a aisghairm,

(c) déanfar fo-ailt 4^o, 5^o, 6^o, 7^o, 8^o, 9^o, 10^o agus 11^o d’alt 4 den téacs Gaeilge agus den téacs Béarla araon a aisghairm,

(d) déanfar na fo-ailt, a bhfuil na téacsanna díobh leagtha amach i gCuid 1 den Sceideal, a chur isteach i ndiaidh fho-alt 3^o d'alt 4 den téacs Gaeilge,

5 (e) déanfar na fo-ailt, a bhfuil na téacsanna díobh leagtha amach i gCuid 2 den Sceideal, a chur isteach i ndiaidh fho-alt 3^o d'alt 4 den téacs Béarla.

(2) Maidir leis an leasú ar alt 4 d'Airteagal 29 den Bhunreacht a dhéantar leis an Acht seo—

10 (a) faoi réir mhír (b), beidh éifeacht leis ar agus ó theacht i bhfeidhm Chonradh Liospóin ag leasú an Chonartha ar an Aontas Eorpach agus an Chonartha ag bunú an Chomhphobail Eorpaigh, arna shíniú i Liospóin an 13ú lá de Nollaig 2007, agus

15 (b) a mhéid a chuirtear fo-alt 5^o den alt sin isteach leis, beidh éifeacht leis ar agus ó dháta rite an Achta seo.

(3) Roimh theacht i bhfeidhm don chonradh dá dtagraítear i mír (a) d'fho-alt (2), déanfar fo-alt 5^o (a chuirtear isteach leis an Acht seo) d'alt 4 d'Airteagal 29 den Bhunreacht a uimhriú mar fho-alt 12^o.

20 2.—(1) An tOchtú Leasú is Fiche ar an mBunreacht a thabharfar Lua. ar an leasú a dhéantar ar an mBunreacht leis an Acht seo.

(2) Féadfar an tAcht um an Ochtú Leasú is Fiche ar an mBunreacht (Conradh Liospóin) 2009 a ghairm den Acht seo.

AN SCEIDEAL

Cuid 1

25 4^o Dearbhaíonn Éire a tiomantas i leith an Aontais Eorpaigh ar laistigh de a oibríonn ballstáit an Aontais sin le chéile chun an tsíocháin, comhluachanna agus leas a bpobal a chur chun cinn.

30 5^o Tig leis an Stát Conradh Liospóin ag leasú an Chonartha ar an Aontas Eorpach agus an Chonartha ag bunú an Chomhphobail Eorpaigh, arna shíniú i Liospóin an 13ú lá de Nollaig 2007 (“Conradh Liospóin”), a dhaingniú agus tig leis a bheith ina chomhalta den Aontas Eorpach a bhunaítear de bhua an Chonartha sin.

35 6^o Ní dhéanann aon fhoráil atá sa Bhunreacht seo dlíthe a d'achtaigh, gníomhartha a rinne nó bearta a ghlac an Stát roimh theacht i bhfeidhm do Chonradh Liospóin, ar theacht i bhfeidhm dó nó tar éis teacht i bhfeidhm dó, de bhíthin riachtanais na n-oibleagáidí mar chomhalta den Aontas Eorpach dá dtagraítear i bhfo-alt 5^o den alt seo nó den Chomhphobal Eorpach um Fhuinneamh Adamhach, a chur ó bhail dlí ná cosc a chur le dlíthe a d'achtaigh, gníomhartha a
40 rinne nó bearta a ghlac—

i an tAontas Eorpach sin nó an Comhphobal Eorpach um Fhuinneamh Adamhach nó institiúidí den chéanna,

ii na Comhphobáil Eorpacha nó an tAontas Eorpach a bheidh ar marthain díreach roimh theacht i bhfeidhm do Chonradh Liospóin, nó institiúidí den chéanna, nó

ó fheidhm dlí a bheith acu sa Stát.

5° The State may ratify the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community, signed at Lisbon on the 13th day of December 2007 (“Treaty of Lisbon”), and may be a member of the European Union established by virtue of that Treaty.

6° No provision of this Constitution invalidates laws enacted, acts done or measures adopted by the State, before, on or after the entry into force of the Treaty of Lisbon, that are necessitated by the obligations of membership of the European Union referred to in subsection 5° of this section or of the European Atomic Energy Community, or prevents laws enacted, acts done or measures adopted by—

i the said European Union or the European Atomic Energy Community, or by institutions thereof,

ii the European Communities or European Union existing immediately before the entry into force of the Treaty of Lisbon, or by institutions thereof, or

iii bodies competent under the treaties referred to in this section,

from having the force of law in the State.

7° The State may exercise the options or discretions—

i to which Article 20 of the Treaty on European Union relating to enhanced cooperation applies,

ii under Protocol No. 19 on the Schengen *acquis* integrated into the framework of the European Union annexed to that treaty and to the Treaty on the Functioning of the European Union (formerly known as the Treaty establishing the European Community), and

iii under Protocol No. 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, so annexed, including the option that the said Protocol No. 21 shall, in whole or in part, cease to apply to the State,

but any such exercise shall be subject to the prior approval of both Houses of the Oireachtas.

8° The State may agree to the decisions, regulations or other acts—

i under the Treaty on European Union and the Treaty on the Functioning of the European Union authorising the Council of the European Union to act other than by unanimity,

ii under those treaties authorising the adoption of the ordinary legislative procedure, and

iii under subparagraph (d) of Article 82.2, the third subparagraph of Article 83.1 and paragraphs 1 and 4 of Article 86 of the Treaty on the Functioning of the European Union, relating to the area of freedom, security and justice,

but the agreement to any such decision, regulation or act shall be subject to the prior approval of both Houses of the Oireachtas.

- 9° The State shall not adopt a decision taken by the European Council to establish a common defence pursuant to Article 42 of the Treaty on European Union where that common defence would include the State.
- 5