



**TWENTY-EIGHTH AMENDMENT OF THE CONSTITUTION
(NO. 3) BILL 2006**

As initiated

ARRANGEMENT OF SECTIONS

Section

1. Amendment of Article 12 of the Constitution.
2. Amendment of Article 13 of the Constitution.
3. Amendment of Article 31 of the Constitution.
4. Citation.

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PART 1

PART 2

[No. 17 of 2006]



**AN BILLE UM AN OCHTÚ LEASÚ IS FICHE AR AN
mBUNREACTH (UIMH. 3) 2006**

Mar a tionscnaíodh

RIAR NA nALT

Alt

1. Airteagal 12 den Bhunreacht a leasú.
2. Airteagal 13 den Bhunreacht a leasú.
3. Airteagal 31 den Bhunreacht a leasú.
4. Lua.

SCEIDEAL 1

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[Uimh. 17 de 2006]



**TWENTY-EIGHTH AMENDMENT OF THE CONSTITUTION
(NO. 3) BILL 2006**

BILL

entitled

AN ACT TO AMEND THE CONSTITUTION. 5

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 proposed to amend Articles 12, 13 and 31 of the Constitution: 10

BE IT THEREFORE ENACTED BY THE OIREACHTAS AS FOLLOWS:

Amendment of
Article 12 of the
Constitution.

1.—Article 12 of the Constitution is hereby amended as follows:

- (a) the subsection the text of which is set out in *Part 1* of
Schedule 1 to this Act shall be substituted for subsection 15
2° of section 2 of the Irish Text,
- (b) the subsection the text of which is set out in *Part 2* of
Schedule 1 to this Act shall be substituted for subsection
2° of section 2 of the English Text,
- (c) the subsection the text of which is set out in *Part 3* of 20
Schedule 1 to this Act shall be substituted for subsection
1° of section 3 of the Irish Text,
- (d) the section the text of which is set out in *Part 4* of *Schedule*
1 to this Act shall be substituted for subsection 1° of
section 3 of the English Text, 25
- (e) the paragraph the text of which is set out in *Part 5* of
Schedule 1 to this Act shall be substituted for paragraph
i of subsection 2° of section 4 of the Irish Text,
- (f) the paragraph the text of which is set out in *Part 6* of
Schedule 1 to this Act shall be substituted for paragraph 30
i of subsection 2° of section 4 of the English Text,
- (g) the paragraph the text of which is set out in *Part 7* of
Schedule 1 to this Act shall be inserted as paragraph iii of
subsection 2° of section 4 of the Irish Text,



AN BILLE UM AN OCHTÚ LEASÚ IS FICHE AR AN
mBUNREACTH (UIMH. 3) 2006

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 Airteagail 12, 13 agus 31 den Bhunreacht a leasú:

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

1.—Leasaítear leis seo mar a leanas Airteagal 12 den Bhunreacht: Airteagal 12 den
Bhunreacht a leasú.

- 15 (a) déanfar an fo-alt a bhfuil an téacs de leagtha amach i
gCuid 1 de Sceideal 1 a ghabhann leis an Acht seo a chur
in ionad fho-alt 2^o d'alt 2 den téacs Gaeilge,
- (b) déanfar an fo-alt a bhfuil an téacs de leagtha amach i
gCuid 2 de Sceideal 1 a ghabhann leis an Acht seo a chur
in ionad fho-alt 2^o d'alt 2 den téacs Sacs-Bhéarla,
- 20 (c) déanfar an fo-alt a bhfuil an téacs de leagtha amach i
gCuid 3 de Sceideal 1 a ghabhann leis an Acht seo a chur
in ionad fho-alt 1^o d'alt 3 den téacs Gaeilge,
- (d) déanfar an fo-alt a bhfuil an téacs de leagtha amach i
25 *gCuid 4 de Sceideal 1* a ghabhann leis an Acht seo a chur
in ionad fho-alt 1^o d'alt 3 den téacs Sacs-Bhéarla,
- (e) déanfar an mhír a bhfuil an téacs di leagtha amach i *gCuid*
5 de Sceideal 1 a ghabhann leis an Acht seo a chur in
ionad mhír i d'fho-alt 2^o d'alt 4 den téacs Gaeilge,
- 30 (f) déanfar an mhír a bhfuil an téacs di leagtha amach i *gCuid*
6 de Sceideal 1 a ghabhann leis an Acht seo a chur in
ionad mhír i d'fho-alt 2^o d'alt 4 den téacs Sacs-Bhéarla,
- (g) déanfar an mhír a bhfuil an téacs di leagtha amach i *gCuid*
7 de Sceideal 1 a ghabhann leis an Acht seo a chur isteach
mar mhír iii d'fho-alt 2^o d'alt 4 den téacs Gaeilge,

- (h) the paragraph the text of which is set out in *Part 8* of *Schedule 1* to this Act shall be inserted as paragraph iii of subsection 2° of section 4 of the English Text.

Amendment of
Article 13 of the
Constitution.

2.—Article 13 of the Constitution is hereby amended as follows:

- (a) the subsection the text of which is set out in *Part 1* of *Schedule 2* to this Act shall be inserted as subsection 4° of section 7 of the Irish Text, 5
- (b) the subsection the text of which is set out in *Part 2* of *Schedule 2* to this Act shall be substituted for subsection 4° of section 7 of the English Text. 10

Amendment of
Article 31 of the
Constitution.

3.—Article 31 of the Constitution is hereby amended as follows:

- (a) the section the text of which is set out in *Part 1* of *Schedule 3* to this Act shall be substituted for section 8 of the Irish Text,
- (b) the section the text of which is set out in *Part 2* of *Schedule 3* to this Act shall be substituted for section 8 of the English Text. 15

Citation.

4.—(1) The amendments of the Constitution effected by this Act shall be called the Twenty-Eighth Amendment of the Constitution.

(2) This Act may be cited as the Twenty-Eighth Amendment of the Constitution Act 2006. 20

SCHEDULE 1

PART 1

Gach saoránach ag a bhfuil ceart vótála i dtoghchán do chomhaltaí de Dháil Éireann, is cuma cén áit a bhfuil cónaí air, beidh ceart vótála aige i dtoghchán don Uachtarán. 25

PART 2

Every Citizen who has the right to vote at an election for members of Dáil Éireann regardless of their residency shall have the right to vote at an election for President. 30

PART 3

Beidh an tUachtarán i seilbh oifige go ceann cúig bliana ón lá a rachaidh i gcúram a oifige mura dtarlaí roimh dheireadh an téarma sin go n-éagfaidh nó go n-éireoidh as oifig nó go gcuirfear as oifig é, nó go ngabhfaidh míthreoir bhuan é agus go suífeadh sin go sásamh 35

(h) déanfar an mhír a bhfuil an téacs di leagtha amach i *gCuid 8 de Sceideal 1* a ghabhann leis an Acht seo a chur isteach mar mhír iii d'fho-alt 2° d'alt 4 den téacs Sacs-Bhéarla.

2.—Leasaítear leis seo mar a leanas Airteagal 13 den Bhunreacht: Airteagal 13 den Bhunreacht a leasú.

5 (a) déanfar an fo-alt a bhfuil an téacs de leagtha amach i *gCuid 1 de Sceideal 2* a ghabhann leis an Acht seo a chur isteach mar fho-alt 4° d'alt 7 den téacs Gaeilge,

10 (b) déanfar an fo-alt a bhfuil an téacs de leagtha amach i *gCuid 2 de Sceideal 2* a ghabhann leis an Acht seo a chur isteach mar fho-alt 4° d'alt 7 den téacs Sacs-Bhéarla.

3.—Leasaítear leis seo mar a leanas Airteagal 31 den Bhunreacht: Airteagal 31 den Bhunreacht a leasú.

(a) déanfar an t-alt a bhfuil an téacs de leagtha amach i *gCuid 1 de Sceideal 3* a ghabhann leis an Acht seo a chur in ionad alt 8 den téacs Gaeilge,

15 (b) déanfar an t-alt a bhfuil an téacs de leagtha amach i *gCuid 2 de Sceideal 3* a ghabhann leis an Acht seo a chur in ionad alt 8 den téacs Sacs-Bhéarla.

4.—(1) An tOchtú Leasú is Fiche ar an mBunreacht a thabharfar Lua. ar na leasuithe a dhéantar ar an mBunreacht leis an Acht seo.

20 (2) Féadfar an tAcht um an Ochtú Leasú is Fiche ar an mBunreacht 2006 a ghairm den Acht seo.

SCEIDEAL 1

CUID 1

25 Gach saoránach ag a bhfuil ceart vótála i dtoghchán do chomhaltaí de Dháil Éireann, is cuma cén áit a bhfuil cónaí air, beidh ceart vótála aige i dtoghchán don Uachtarán.

CUID 2

30 Every Citizen who has the right to vote at an election for members of Dáil Éireann regardless of their residency shall have the right to vote at an election for President.

CUID 3

35 Beidh an tUachtarán i seilbh oifige go ceann cúig bliana ón lá a rachaidh i gcúram a oifige mura dtarlaí roimh dheireadh an téarma sin go n-éagfaidh nó go n-éireoidh as oifig nó go gcuirfear as oifig é, nó go ngabhfaidh míthreoir bhuan é agus go suífeair sin go sásamh

na Cúirte Uachtaraí agus í comhdhéanta de chúigear breitheamh ar a laghad.

PART 4

The President shall hold office for five years from the date upon which he enters upon his office, unless before expiration of that period he dies, or resigns, or is removed from office, or becomes permanently incapacitated, such incapacity being established to the satisfaction of the Supreme Court consisting of not less than five judges. 5

PART 5 10

4.2°.i cúigear duine ar a laghad agus gach duine faoi leith díobh sin ina chomhalta, in alt na huaire, de Theach de Thithe an Oireachtais.

PART 6

4.2°.i not less than 5 persons, each of whom is at the time a member of one of the Houses of the Oireachtas. 15

PART 7

Fiche míle saoránach ar a laghad, agus gach duine faoi leith díobh sin i dteideal, in alt na huaire, vótáil i dtoghchán a dhéantar faoin Airteagal seo, agus déanfar an t-ainmniúchán sin ar mhodh a fhorordófar le dlí. 20

PART 8

Not less than twenty thousand citizens, each of whom is entitled for the time being to vote at an election held under this Article, such nomination to be made in a manner prescribed by law.

SCHEDULE 2 25

PART 1

Déanfaidh an tUachtarán aitheasc a chur faoi bhráid comhshuí de Thithe an Oireachtais ar bhonn bliantúil.

PART 2

The President shall address a joint sitting of the Houses of the Oireachtas on an annual basis. 30

na Cúirte Uachtaraí agus í comhdhéanta de chúigear breitheamh ar a laghad.

CUID 4

5 The President shall hold office for five years from the date upon which he enters upon his office, unless before expiration of that period he dies, or resigns, or is removed from office, or becomes permanently incapacitated, such incapacity being established to the satisfaction of the Supreme Court consisting of not less than five judges.

10 CUID 5

4.2°.i cúigear duine ar a laghad agus gach duine faoi leith díobh sin ina chomhalta, in alt na huaire, de Theach de Thithe an Oireachtais.

CUID 6

15 4.2°.i not less than 5 persons, each of whom is at the time a member of one of the Houses of the Oireachtas.

CUID 7

20 Fiche míle saoránach ar a laghad, agus gach duine faoi leith díobh sin i dteideal, in alt na huaire, vótáil i dtoghchán a dhéantar faoin Airteagal seo, agus déanfar an t-ainmniúchán sin ar mhodh a fhorordófar le dlí.

CUID 8

Not less than twenty thousand citizens, each of whom is entitled for the time being to vote at an election held under this Article, such nomination to be made in a manner prescribed by law.

25 SCEIDEAL 2

CUID 1

Déanfaidh an tUachtarán aitheasc a chur faoi bhráid comhshuí de Thithe an Oireachtais ar bhonn bliantúil.

CUID 2

30 The President shall address a joint sitting of the Houses of the Oireachtas on an annual basis.

SCHEDULE 3

PART 1

Tig leis an Uachtarán an Chomhairle Stáit a chomóradh cibé áit agus am a shocróidh sé chuige ach ní foláir í a chomóradh trí huaire sa bhliain ar a laghad.

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PART 2

Meetings of the Council of State may be convened by the President at such times and places as he shall determine but must be convened on no less than three occasions in a year.

SCEIDEAL 3

CUID 1

5 Tig leis an Uachtarán an Chomhairle Stáit a chomóradh cibé áit agus am a shocróidh sé chuige ach ní foláir í a chomóradh trí huaire sa bhliain ar a laghad.

CUID 2

Meetings of the Council of State may be convened by the President at such times and places as he shall determine but must be convened on no less than three occasions in a year.