



DÁIL ÉIREANN

**AN BILLE UM AN OCHTÚ LEASÚ IS FICHE AR AN
mBUNREACTH 2008
TWENTY-EIGHTH AMENDMENT OF THE CONSTITUTION
BILL 2008**

**LEASUITHE COISTE
COMMITTEE AMENDMENTS**

DÁIL ÉIREANN

TWENTY-EIGHTH AMENDMENT OF THE CONSTITUTION BILL 2008 —COMMITTEE

Amendments

SCHEDULE

1. In Part 1, page 6, line 3, to delete “Tig” and substitute “Ní thig”,

and

In Part 2, page 8, line 16, after “may” to insert “not”.

—Aengus Ó Snodaigh.

2. In Part 1, page 6, line 7, after “an Chonartha sin” to insert the following:

“go dtí cibé tráth

- a choimeádann Éire buan-Choimisinéir AE mar aon lena neart vótála ar Chomhairle na nAiri.

- a chuirtear airteagal sonrach isteach in aon chonradh Eorpach amach anseo ar airteagal é lena dtugtar aitheantas agus cosaint do neodracht na hÉireann.

- a áirithítear rogha trína gcuirfear deireadh le tacaíocht na hÉireann do chumhacht núicléach, don Ghníomhaireacht Eorpach um Chosaint agus do ranníocaíochtaí eile i leith caiteachais mhíleata AE.

- a thugtar gealltanais maidir le hoibriú le tíortha eile AE chun an daonlathas a neartú agus forálacha nua a chruthú lena gcuirfear seirbhísí poiblí chun cinn.

- a chuirtear isteach Prótacail shonracha trína bhforchoimeádfar ceart an stáit seo a chinntí féin maidir le cánachas a dhéanamh.

- a áirithítear bearta sonracha lena ndíolmhófar sláinte agus oideachas ó phríobháidiú.

- a áirithítear bearta sonracha lena ndéanfar trádáil chothrom a chur chun cinn thar shaorthrádail.”,

and

In Part 2, page 8, line 20, after “Treaty” to insert the following:

“until such time as

- Ireland will maintain a permanent EU Commissioner and its voting strength on the Council of Ministers.

- A specific article be inserted into any future European treaty which recognises and protects Irish neutrality.

- An opt out is secured ending Ireland’s support for nuclear power, the

DÁIL ÉIREANN

AN BILLE UM AN OCHTÚ LEASÚ IS FICHE AR AN mBUNREACTH 2008 —AN CHOISTE

Leasuithe

AN SCEIDEAL

1. I gCuid 1, leathanach 7, líne 3 “Tig” a scriosadh agus “Ní thig” a chur ina ionad,

agus

I gCuid 2, leathanach 9, líne 16, i ndiaidh “may” an méid seo a leanas a chur isteach: “not”.

—Aengus Ó Snodaigh.

2. I gCuid 1, leathanach 7, líne 7, i ndiaidh “an Chonartha sin” an méid seo a leanas a chur isteach:

“go dtí cibé tráth

- a choimeádann Éire buan-Choimisinéir AE mar aon lena neart vótála ar Chomhairle na nAirí.

- a chuirtear airteagal sonracha isteach in aon chonradh Eorpach amach anseo ar airteagal é lena dtugtar aitheantas agus cosaint do neodracht na hÉireann.

- a áirithítear rogha trína gcuirfear deireadh le tacaíocht na hÉireann do chumhacht núicléach, don Ghníomhaireacht Eorpach um Chosaint agus do ranníocaíochtaí eile i leith caiteachais mhíleata AE.

- a thugtar gealltanas maidir le hoibriú le tíortha eile AE chun an daonlathas a neartú agus forálacha nua a chruthú lena gcuirfear seirbhísí poiblí chun cinn.

- a chuirtear isteach Prótacail shonracha trína bhforchoimeádfar ceart an stáit seo a chinntí féin maidir le cánachas a dhéanamh.

- a áirithítear bearta sonracha lena ndíolmhófar sláinte agus oideachas ó phríobháidí.

- a áirithítear bearta sonracha lena ndéanfar trádáil chothrom a chur chun cinn thar shaorthrádail.”,

agus

I gCuid 2, leathanach 9, líne 20, i ndiaidh “Treaty” an méid seo a leanas a chur isteach:

“until such time as

- Ireland will maintain a permanent EU Commissioner and its voting strength on the Council of Ministers.

- A specific article be inserted into any future European treaty which recognises and protects Irish neutrality.

- An opt out is secured ending Ireland’s support for nuclear power, the

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European Defence Agency, and other contributions to EU military expenditure.

- A commitment is given to working with other EU countries to strengthen democracy and create new provisions promoting public services.

- Insertion of specific Protocols reserving this state's right to continue making its own decisions on taxation.

- Securing of specific measures exempting health and education from privatisation.

- Securing of specific measures promoting fair trade over free trade.”.

—Aengus Ó Snodaigh.

3. In Part 1, page 6, between lines 7 and 8 to insert the following:

“11° Amhail ar theacht i bhfeidhm agus ó theacht i bhfeidhm an Chonartha dá dtagraítear i bhfo-alt 10°, is feidhm de chuid Thithe an Oireachtais é na feidhmeanna a thugtar do Pharlaimintí Náisiúnta leis an gConradh sin a chomhall thar ceann an Stáit, de réir Theideal II (“Forálacha maidir leis na Prionsabail Dhaonlathacha”) den Chonradh ar an Aontas Eorpach arna chur isteach le hAirteagal 1.12 den Chonradh dá dtagraítear bhfo-alt 10°.”,

and

In Part 2, page 8, between lines 20 and 21, to insert the following:

“11° Upon and from the entry into force of the Treaty referred to in subsection 10°, it shall be a function of the Houses of the Oireachtas to carry out for the State the functions conferred on National Parliaments by that Treaty, in accordance with Title II (“Provisions on Democratic Principles”) of the Treaty on the European Union inserted by Article 1.12 of the Treaty referred to in subsection 10°.”.

—Joe Costello.

4. In Part 1, page 6, line 8, to delete “Ní dhéanann aon fhoráil atá sa Bhunreacht seo” and substitute “Is féidir le forálacha atá sa Bhunreacht seo”,

and

In Part 2, page 8, line 21, to delete “No provision of this Constitution invalidates” and substitute “Provisions of this Constitution can invalidate”.

—Aengus Ó Snodaigh.

5. In Part 1, page 6, line 15, to delete “Stát.” and substitute the following:

“Stát, má mheastar go sáraítear iomláine bhunreachtúil an Stáit leo.”,

and

In Part 2, page 8, line 27, to delete “State.” and substitute the following:

“State, if they are deemed in violation to the Constitutional integrity of the state.”.

—Aengus Ó Snodaigh.

6. In Part 1, page 6, between lines 22 and 23 to insert the following:

“Chuige sin, déanfaidh an Stát, go háirithe, beartas neamhchomhaltais a chothabháil maidir le comhghuaillíochtaí míleata.”,

European Defence Agency, and other contributions to EU military expenditure.

- A commitment is given to working with other EU countries to strengthen democracy and create new provisions promoting public services.

- Insertion of specific Protocols reserving this state's right to continue making its own decisions on taxation.

- Securing of specific measures exempting health and education from privatisation.

- Securing of specific measures promoting fair trade over free trade.”.

—Aengus Ó Snodaigh.

3. I gCuid 1, leathanach 7, idir línte 7 agus 8, an méid seo a leanas a chur isteach:

“11° Amhail ar theacht i bhfeidhm agus ó theacht i bhfeidhm an Chonartha dá dtagraítear i bhfo-alt 10°, is feidhm de chuid Thithe an Oireachtais é na feidhmeanna a thugtar do Pharlaimintí Náisiúnta leis an gConradh sin a chomhall thar ceann an Stáit, de réir Theideal II (“Forálacha maidir leis na Prionsabail Dhaonlathacha”) den Chonradh ar an Aontas Eorpach arna chur isteach le hAirteagal 1.12 den Chonradh dá dtagraítear bhfo-alt 10°.”,

agus

I gCuid 2, leathanach 9, idir línte 20 agus 21, an méid seo a leanas a chur isteach:

“11° Upon and from the entry into force of the Treaty referred to in subsection 10°, it shall be a function of the Houses of the Oireachtas to carry out for the State the functions conferred on National Parliaments by that Treaty, in accordance with Title II (“Provisions on Democratic Principles”) of the Treaty on the European Union inserted by Article 1.12 of the Treaty referred to in subsection 10°.”.

—Seosamh Mac Coistealbha.

4. I gCuid 1, leathanach 7, líne 8, “Ní dhéanann aon fhoráil atá sa Bhunreacht seo” a scriosadh agus an méid seo a leanas a chur ina ionad “Is féidir le forálacha atá sa Bhunreacht seo”,

agus

I gCuid 2, leathanach 9, líne 21, “No provision of this Constitution invalidates” a scriosadh agus an méid seo a leanas a chur ina ionad “Provisions of this Constitution can invalidate”.

—Aengus Ó Snodaigh.

5. I gCuid 1, leathanach 7, líne 14, “Stát.” a scriosadh agus an méid seo a leanas a chur ina ionad:

“Stát, má mheastar go sáraítear iomláine bhunreachtúil an Stáit leo.”,

agus

I gCuid 2, leathanach 9, líne 27, “State.” a scriosadh agus an méid seo a leanas a chur ina ionad:

“State, if they are deemed in violation to the Constitutional integrity of the state.”.

—Aengus Ó Snodaigh.

6. I gCuid 1, leathanach 7, idir línte 21 agus 22, an méid seo a leanas a chur isteach:

“Chuige sin, déanfaidh an Stát, go háirithe, beartas neamhchomhaltais a chothabháil maidir le comhghuaillíochtaí míleata.”,

and

In Part 2, page 8, between lines 33 and 34, to insert the following:

“To this end the State shall, in particular, maintain a policy of non-membership of military alliances.”.

—Aengus Ó Snodaigh.

7. In Part 2, page 8, line 36, to delete “Treaty on the” and substitute “Treaty on”.

—An tAire Gnóthaí Eachtracha.

8. In Part 1, page 6, line 31, to delete “ó dhá Theach an Oireachtais.” and substitute the following: “i reifreann i measc mhuintir an Stáit.”,

and

In Part 2, page 8, lines 40 and 41, to delete “of both Houses of the Oireachtas.” and substitute “by referendum of the people of the State.”.

—Aengus Ó Snodaigh.

9. In Part 1, page 6, to delete lines 32 to 49, and page 8, to delete lines 1 to 7, and substitute the following:

“14° Ní choisceann aon fhoráil atá sa Bhunreacht ar an Oireachtas reachtaíocht a achtú chun cinntí a rialáil nó a dhéanamh, nó chun éifeacht a thabhairt do chinntí den sórt sin, faoi na Conarthaí ach amháin i ndáil le haon bheartas um chomhchosaint a mbeadh an Stát san áireamh inti.”,

and

In Part 2, page 8, to delete lines 42 to 49 and in page 10, to delete lines 1 to 17 and substitute the following:

“14° No provision of the Constitution prevents the Oireachtas from enacting legislation to regulate, give effect to or take decisions under the Treaties except in relation to any common defence policy which would include the State.”.

—Billy Timmins.

10. In Part 1, page 8, lines 6 and 7, to delete “ó dhá Theach an Oireachtais” and substitute the following “i reifreann i measc mhuintir an Stáit”,

and

In Part 2, page 10, line 17, to delete “both Houses of the Oireachtas” and substitute “a referendum of the people of the state”.

—Aengus Ó Snodaigh.

11. In Part 1, page 8, line 8, to delete “Ní ghlacfaidh an Stát” and substitute the following:

“Tá an Stát i gcoinne aidhmeanna sonraithe an Chonartha i réimse na comhchosanta agus ní ghlacfaidh sé”,

and

In Part 2, page 10, line 18, after “State” to insert the following:

“is opposed to the stated aims of the Treaty in the area of common defence and”.

—Aengus Ó Snodaigh.

agus

I gCuid 2, leathanach 9, idir línte 33 agus 34 an méid seo a leanas a chur isteach:

“To this end the State shall, in particular, maintain a policy of non-membership of military alliances.”.

—Aengus Ó Snodaigh.

7. I gCuid 2, leathanach 9, líne 36, “Treaty on the” a scriosadh agus “Treaty on” a chur ina ionad.

—An tAire Gnóthaí Eachtracha.

8. I gCuid 1, leathanach 7, línte 29 agus 30, “ó dhá Theach an Oireachtais” a scriosadh agus an méid seo a leanas a chur ina ionad “i reifreann i measc mhuintir an Stáit.”,

agus

I gCuid 2, leathanach 9, línte 40 agus 41, “of both Houses of the Oireachtas.” a scriosadh agus an méid seo a leanas a chur ina ionad “by referendum of the people of the State.”

—Aengus Ó Snodaigh.

9. I gCuid 1, leathanach 7, línte 31 go 48 a scriosadh, agus leathanach 9, línte 1 go 7 a scriosadh agus an méid seo a leanas a chur ina n-ionad:

“14° Ní choisceann aon fhoráil atá sa Bhunreacht ar an Oireachtas reachtaíocht a achtú chun cinntí a rialáil nó a dhéanamh, nó chun éifeacht a thabhairt do chinntí den sórt sin, faoi na Conarthaí ach amháin i ndáil le haon bheartas um chomhchosaint a mbeadh an Stát san áireamh inti.”,

agus

I gCuid 2, leathanach 9, línte 42 go 49 a scriosadh, agus leathanach 11, línte 1 go 17 a scriosadh, agus an méid seo a leanas a chur ina n-ionad:

“14° No provision of the Constitution prevents the Oireachtas from enacting legislation to regulate, give effect to or take decisions under the Treaties except in relation to any common defence policy which would include the State.”.

—Liam Ó Toimín.

10. I gCuid 1, leathanach 9, línte 6 agus 7, “ó dhá Theach an Oireachtais” a scriosadh agus an méid seo a leanas a chur isteach “i reifreann i measc mhuintir an Stáit”,

agus

I gCuid 2, leathanach 11, líne 17, “both Houses of the Oireachtas” a scriosadh agus an méid seo a leanas a chur isteach “a referendum of the people of the State”.

—Aengus Ó Snodaigh.

11. I gCuid 1, leathanach 9, líne 8, “Ní ghlacfaidh an Stát” a scriosadh agus an méid seo a leanas a chur ina ionad:

“Tá an Stát i gcoinne aidhmeanna sonraithe an Chonartha i réimse na comhchosanta agus ní ghlacfaidh sé”,

agus

I gCuid 2, leathanach 11, líne 18, i ndiaidh “State” an méid seo a leanas a chur isteach:

“is opposed to the stated aims of the Treaty in the area of common defence and”.

—Aengus Ó Snodaigh.