



**TWENTY-EIGHTH AMENDMENT OF THE CONSTITUTION
BILL 2006**

As initiated

ARRANGEMENT OF SECTIONS

Section

1. Amendment of the Constitution.
2. Citation.

SCHEDULE

PART 1

PART 2



**AN BILLE UM AN OCHTÚ LEASÚ IS FICHE AR AN
mBUNREACTH 2006**

Mar a tionscnaíodh

RIAR NA nALT

Alt

1. An Bunreacht a leasú.
2. Lua.

AN SCEIDEAL

Cuid 1

Cuid 2



**TWENTY-EIGHTH AMENDMENT OF THE CONSTITUTION
BILL 2006**

BILL

entitled

AN ACT TO AMEND THE CONSTITUTION. 5

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

AND WHEREAS it is proposed to amend the Constitution:

BE IT THEREFORE ENACTED BY THE OIREACHTAS AS
FOLLOWS: 10

Amendment of the
Constitution.

1.—The Constitution is hereby amended as follows:

- (a) the Article the text of which is set out in *Part 1* of the
Schedule to this Act shall be inserted after Article 11 of
the Irish text,
- (b) the Article the text of which is set out in *Part 2* of the 15
Schedule to this Act shall be inserted after Article 11 of
the English text.

Citation.

2.—(1) The amendment 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 20
the Constitution Act 2006.



AN BILLE UM AN OCHTÚ LEASÚ IS FICHE AR AN
mBUNREACTH 2006

BILLE

dá ngairtear

5 ACHT DO LEASÚ AN BHUNREACTHA.

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

AGUS DE BHRÍ go bhfuil beartaithe an Bunreacht a leasú:

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

1.—Leasaítear an Bunreacht leis seo mar a leanas:

An Bunreacht a
leasú.

(a) déanfar an tAirteagal a bhfuil an téacs de leagtha amach i
gCuid 1 den *Sceideal* a ghabhann leis an Acht seo a chur
isteach i ndiaidh Airteagal 11 den téacs Gaeilge,

15 (b) déanfar an tAirteagal a bhfuil an téacs de leagtha amach i
gCuid 2 den *Sceideal* a ghabhann leis an Acht seo a chur
isteach i ndiaidh Airteagal 11 den téacs Sacs-Bhéarla.

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.

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

SCHEDULE

PART 1

OIDHREACHT SAÍOCHTA, AN TIMPEALLACHT AGUS NA GLÚNTA INA DHIAIDH SEO

Airteagal 11A.

5

1. Is é an Stát coimeádaí oidhreacht saíochta an phobail, lena n-áirítear a oidhreacht seandálaíochta, ailtireachta, séadchomhartha, tionscail, ealaíne agus eolaíochta. Tá an Stát i dteideal, de réir dlí agus ar cibé luaíocht a fhorordófar a íoc, úinéireacht a éileamh ar rudaí nua-aimsithe ar cuid den oidhreacht saíochta iad. Tá sé faoi dhualgas, nach mór foráil dhóthanach a dhéanamh le dlí i leith é a chomhlíonadh, caomhnú na hoidhreacht saíochta agus, sa mhéid gur féidir é, coimeád rudaí oidhreacht laistigh den Stát, agus rochtain réasúnach orthu, a chur in áirithe.

10

2. Is é an Stát coimeádaí na timpeallachta fisicí freisin, ar talamh agus ar farraige agus san aer, lena n-áirítear plandaí agus ainmhithe, tírdhreacha, muirdhreacha agus foirmíochtaí geolaíocha. Tá an Stát agus gach údarás poiblí eile faoi dhualgas, sa mhéid gur féidir é, an timpeallacht a chosaint mar chuid d'oidhreacht chomhchoiteann an phobail, agus gnéithe uathúla na timpeallachta a chaomhnú, beartais forbartha inchothaithe a chur chun cinn agus a shaothrú agus leasanna glúnta ina dhiaidh seo a choimirciú.

15

20

PART 2

CULTURAL HERITAGE, THE ENVIRONMENT AND FUTURE GENERATIONS

25

Article 11A.

1. The State is custodian of the cultural heritage of the people, including its archeological, architectural, monumental, industrial, artistic and scientific heritage. The State is entitled, in accordance with law and on payment of such reward as may be prescribed, to claim ownership of newly discovered objects forming part of the cultural heritage. It is under a duty, for the performance of which adequate provision must be made by law, to secure the preservation of the cultural heritage and, as far as practicable, the retention of heritage objects within the State and their reasonable accessibility.

30

35

2. The State is also custodian of the physical environment, on land and sea and in the air, including plant and animal life, landscapes, seascapes and geological formations. The State and all other public authorities are under a duty, as far as practicable, to protect the environment as part of the common heritage of the people and to preserve its unique features, to promote and follow policies of sustainable development and to safeguard the interests of future generations.

40

CUID 1

OIDHREACHT SAÍOCHTA, AN TIMPEALLACHT AGUS NA
GLÚNTA INA DHIAIDH SEO5 **Airteagal 11A.**

1. Is é an Stát coimeádaí oidhreacht saíochta an phobail, lena n-áirítear a oidhreacht seandálaíochta, ailtireachta, séadchomhartha, tionscail, ealaíne agus eolaíochta. Tá an Stát i dteideal, de réir dlí agus tar éis cibé luaíocht a fhorordófar a íoc, úinéireacht a éileamh ar rudaí nua-aimsithe ar cuid den oidhreacht saíochta iad. Tá sé faoi dhualgas, nach mór foráil dhóthanach a dhéanamh le dlí i leith é a chomhlíonadh, caomhnú na hoidhreacht saíochta agus, sa mhéid gur féidir é, coimeád rudaí oidhreacht laistigh den Stát, agus rochtain réasúnach orthu, a chur in áirithe.
2. Is é an Stát coimeádaí na timpeallachta fisicí freisin, ar talamh agus ar farraige agus san aer, lena n-áirítear plandaí agus ainmhithe, tírdhreacha, muirdhreacha agus foirmíochtaí geolaíocha. Tá an Stát agus gach údarás poiblí eile faoi dhualgas, sa mhéid gur féidir é, an timpeallacht a chosaint mar chuid d'oidhreacht chomhchoiteann an phobail, agus gnéithe uathúla na timpeallachta a chaomhnú, beartais forbartha inchothaithe a chur chun cinn agus a shaothrú agus leasanna na nglúnta ina dhiaidh seo a choimirciú.

CUID 2

25 **CULTURAL HERITAGE, THE ENVIRONMENT AND
FUTURE GENERATIONS****Article 11A.**

1. The State is custodian of the cultural heritage of the people, including its archeological, architectural, monumental, industrial, artistic and scientific heritage. The State is entitled, in accordance with law and on payment of such reward as may be prescribed, to claim ownership of newly discovered objects forming part of the cultural heritage. It is under a duty, for the performance of which adequate provision must be made by law, to secure the preservation of the cultural heritage and, as far as practicable, the retention of heritage objects within the State and their reasonable accessibility.
2. The State is also custodian of the physical environment, on land and sea and in the air, including plant and animal life, landscapes, seascapes and geological formations. The State and all other public authorities are under a duty, as far as practicable, to protect the environment as part of the common heritage of the people and to preserve its unique features, to promote and follow policies of sustainable development and to safeguard the interests of future generations.