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An Bille um an Deichiú Leasú ar an mBunreacht (Uimh. 2), 1985

Tenth Amendment of the Constitution (No. 2) Bill, 1985

Mar a tionscnaíodh
As introduced

[No. 36 of 1985]

TENTH AMENDMENT OF THE CONSTITUTION (No. 2) BILL, 1985

As initiated

ARRANGEMENT OF SECTIONS

Section

1. Amendment of Article 41 of the Constitution.

2. Citation.

SCHEDULE

PART I

PART II

AN BILLE UM AN DEICHIÚ LEASÚ AR AN mBUNREACHT (UIMH. 2), 1985

Mar a tionscnaíodh

RIAR NA nALT

Alt
1. Airteagal 41 den Bhunreacht do leasú.
2. Lua.

AN SCEIDEAL

Cuid I

Cuid II

TENTH AMENDMENT OF THE CONSTITUTION (NO. 2) BILL, 1985

BILL

entitled

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 proposed to amend Article 41 of the Constitution:

BE IT THEREFORE ENACTED BY THE OIREACHTAS AS FOLLOWS:

Amendment of Article 41 of the Constitution.

1.—Article 41 of the Constitution is hereby amended as follows:

(*a*) the subsections set out in *Part I* of the Schedule to this Act shall be substituted for subsections 1° and 2° of section 3 of the Irish text,

(*b*) the subsections set out in *Part II* of the Schedule to this Act shall be substituted for subsections 1° and 2° of section 3 of the English text.

Citation.

2.—(1) The amendment of the Constitution effected by this Act shall be called the Tenth Amendment of the Constitution.

(2) This Act may be cited as the Tenth Amendment of the Constitution Act, 1985.

SCHEDULE

PART I

1° Ós ar an bPósadh atá an Teaghlach bunaithe gabhann an Stát air féin coimirce faoi leith a dhéanamh ar ord an phósta agus é a chosaint ar ionsaí.

Ní hintuigthe as sin nach dtabharfaidh an Stát ina achtacháin cumhacht chun pósadh a scaoileadh i ndálaí inar léir mar gheall ar chliseadh pósta nach féidir de réir réasúin é a bheith ina cheangal ar na páirtithe sa phósadh fanacht in aontíos le chéile mar fhearchéile agus mar bhanchéile.

AN BILLE UM AN DEICHIÚ LEASÚ AR AN mBUNREACHT, (UIMH.2) 1985

BILLE

dá ngairtear

ACHT CHUN AN BUNREACHT DO LEASÚ.

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

AGUS DE BHRÍ go bhfuil beartaithe Airteagal 41 den Bhunreacht do leasú:

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

Airteagal 41 den Bhunreacht do leasú.

1.—Leasaítear leis seo mar a leanas Airteagal 41 den Bhunreacht:

(*a*) cuirfear na fo-ailt atá leagtha amach i *gCuid I* den Sceideal a ghabhann leis an Acht seo in ionad fho-ailt 1° agus 2° d'alt 3 den téacs Gaeilge,

(*b*) cuirfear na fo-ailt atá leagtha amach i *gCuid II* den Sceideal a ghabhann leis an Acht seo in ionad fho-ailt 1° agus 2° d'alt 3 den téacs Sacs-Bhéarla.

Lua.

2.—(1) An Deichiú Leasú ar an mBunreacht a bhéarfar ar an leasú a dhéantar ar an mBunreacht leis an Acht seo.

(2) Féadfar an tAcht um an Deichiú Leasú ar an mBunreacht, 1985, a ghairm den Acht seo.

AN SCEIDEAL

Cuid I

1° Ós ar an bPósadh atá an Teaghlach bunaithe gabhann an Stát air féin coimirce faoi leith a dhéanamh ar ord an phósta agus é a chosaint ar ionsaí.
Ní hintuigthe as sin nach dtabharfaidh an Stát ina achtacháin cumhacht chun pósadh a scaoileadh i ndálaí inar léir mar gheall ar chliseadh pósta nach féidir de réir réasúin é a bheith ina cheangal ar na páirtithe sa phósadh fanacht in aontíos le chéile mar fhearchéile agus mar bhanchéile.

2° Ní bheidh an chumhacht chun pósadh a scaoileadh inoibrithe ach ag Cúirteanna arna mbunú faoin mBunreacht agus ní thabharfar cumhacht chun pósadh a scaoileadh mura deimhin leis an gCúirt go mbeidh leasanna aon chéile nó leanbh cleithiúnach arna gcosaint sa mhéid gur cóir agus gur féidir é.

PART II

1° The State pledges itself to guard with special care the institution of Marriage, on which the Family is founded, and to protect it against attack.
This shall not be held to mean that the State shall not in its enactments provide for the grant of a dissolution of marriage in such circumstances where it is clear that due to the breakdown of a marriage the parties thereto cannot reasonably be required to continue to reside together as husband and wife.

2° The power to grant a dissolution of marriage shall be exercisable only by Courts established under the Constitution, and no grant of a dissolution of marriage shall be made unless the Court is satisfied that the interests of any dependent spouse or child have, in so far as is just and practicable, been protected.

2° Ní bheidh an chumhacht chun pósadh a scaoileadh inoibrithe ach ag Cúirteanna arna mbunú faoin mBunreacht agus ní thabharfar cumhacht chun pósadh a scaoileadh mura deimhin leis an gCúirt go mbeidh leasanna aon chéile nó leanbh cleithiúnach arna gcosaint sa mhéid gur cóir agus gur féidir é.

Cuid II

1° The State pledges itself to guard with special care the institution of Marriage, on which the Family is founded, and to protect it against attack.
This shall not be held to mean that the State shall not in its enactments provide for the grant of a dissolution of marriage in such circumstances where it is clear that due to the breakdown of a marriage the parties thereto cannot reasonably be required to continue to reside together as husband and wife.

2° The power to grant a dissolution of marriage shall be exercisable only by Courts established under the Constitution, and no grant of a dissolution of marriage shall be made unless the Court is satisfied that the interests of any dependent spouse or child have, in so far as is just and practicable, been protected.

TENTH AMENDMENT OF THE CONSTITUTION (NO. 2) BILL, 1985

BILL

(*as initiated*)

entitled

An Act to amend the Constitution.

Presented by Deputy Mervyn Taylor,
1*st November,* 1985

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AN BILLE UM AN DEICHIÚ LEASÚ AR AN mBUNREACHT (UIMH. 2), 1985

BILLE

(*mar a tionscnaíodh*)

dá ngairtear

Acht chun an Bunreacht do leasú.

An Teachta Muiris Táilliúir a thíolaic,
1 *Samhain,* 1985

BAILE ÁTHA CLIATH:
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR

Le ceannach díreach ón Oifig Dhíolta Foilseachán Rialtais, Teach Sun Alliance, Sráid Theach Laighean, Baile Átha Cliath 2, nó trí aon díoltóir leabhar.

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