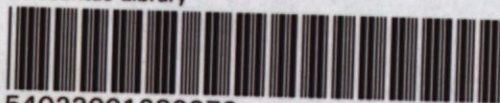


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An Bille um an gCúigiú Leasú Déag
ar an mBunreacht (Uimh. 2), 1995

Fifteenth Amendment of the
Constitution (No. 2) Bill, 1995

Mar a tionscnaíodh
As initiated



**FIFTEENTH AMENDMENT OF THE CONSTITUTION (NO. 2)
BILL, 1995**

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 gCÚIGIÚ LEASÚ DÉAG AR AN
mBUNREACTH (UIMH. 2), 1995**

Mar a tionscnaíodh

RIAR NA nALT

Alt

1. Airteagal 41 den Bhunreacht a leasú.
2. Lua.

AN SCEIDEAL

CUID I

CUID II



FIFTEENTH AMENDMENT OF THE CONSTITUTION (NO. 2)
BILL, 1995

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 Article 41 of the Constitution:

10

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 subsection set out in *Part I* of the Schedule to this Act shall be substituted for subsection 2° of section 3 of the Irish text, 15
- (b) the subsection set out in *Part II* of the Schedule to this Act shall be substituted for subsection 2° of section 3 of the English text.

Citation.

2.—(1) The amendment of the Constitution effected by this Act shall be called the Fifteenth Amendment of the Constitution. 20

(2) This Act may be cited as the Fifteenth Amendment of the Constitution Act, 1995.



AN BILLE UM AN gCÚIGIÚ LEASÚ DÉAG AR AN
mBUNREACTH (UIMH. 2), 1995

BILLE

dá ngairtear

5 ACHT CHUN AN BUNREACTH DO 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 41 den Bhunreacht a leasú:

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

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

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

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

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

(2) Féadfar an tAcht um an gCúigiú Leasú Déag ar an mBunreacht, 1995, a ghairm den Acht seo.

SCHEDULE

PART I

- 2° Féadfaidh Cúirt a bheidh ainmnithe le dlí scaoileadh ar phósadh a thabhairt sa chás, ach sa chás amháin, gur deimhin léi—
- i. go raibh, ar dháta thionscnamh na n-imeachtaí, tréimhse ceithre bliana ar a laghad, nó tréimhsí ceithre bliana ar a laghad san iomlán, caite ag na céilí ina gcónaí ar leithligh óna chéile le linn na gcúig bliana roimhe sin, 5
 - ii. nach bhfuil ionchas réasúnach ar bith ann go mbeidh comhréiteach idir na céilí, 10
 - iii. go bhfuil cibé socrú ann, nó go ndéanfar cibé socrú, is dóigh leis an gCúirt a bheith cuí ag féachaint do na himthosca, le haghaidh na gcéilí, le haghaidh aon leanaí le ceachtar acu nó leis an mbeirt acu agus le haghaidh aon duine eile a bheidh forordaithe le dlí, agus 15
 - iv. go gcomhlíontar aon choinníollacha breise a bheidh forordaithe le dlí.

PART II

- 2° A Court designated by law may grant a dissolution of marriage where, but only where, it is satisfied that— 20
- i. at the date of the institution of the proceedings, the spouses have lived apart from one another for a period of, or periods amounting to, at least four years during the previous five years,
 - ii. there is no reasonable prospect of a reconciliation between the spouses, 25
 - iii. such provision as the Court considers proper having regard to the circumstances exists or will be made for the spouses, any children of either or both of them and any other person prescribed by law, and 30
 - iv. any further conditions prescribed by law are complied with.

AN SCEIDEAL

CUID I

2° Féadfaidh Cúirt a bheidh ainmnithe le dlí scaoileadh ar phós-
adh a thabhairt sa chás, ach sa chás amháin, gur deimhin léi—

- 5 i. go raibh, ar dháta thionscnamh na n-imeachtaí, tréimhse
ceithre bliana ar a laghad, nó tréimhsí ceithre bliana ar a
laghad san iomlán, caite ag na céilí ina gcónaí ar leithligh
óna chéile le linn na gcúig bliana roimhe sin,
- 10 ii. nach bhfuil ionchas réasúnach ar bith ann go mbeidh
comhréiteach idir na céilí,
- 15 iii. go bhfuil cibé socrú ann, nó go ndéanfar cibé socrú, is
dóigh leis an gCúirt a bheith cuí ag féachaint do na him-
thosca, le haghaidh na gcéilí, le haghaidh aon leanaí le
ceachtar acu nó leis an mbeirt acu agus le haghaidh aon
duine eile a bheidh forordaithe le dlí, agus
- iv. go gcomhlíontar aon choinníollacha breise a bheidh for-
ordaithe le dlí.

CUID II

20 2° A Court designated by law may grant a dissolution of
marriage where, but only where, it is satisfied that—

- i. at the date of the institution of the proceedings, the
spouses have lived apart from one another for a period
of, or periods amounting to, at least four years during the
previous five years,
- 25 ii. there is no reasonable prospect of a reconciliation between
the spouses,
- 30 iii. such provision as the Court considers proper having regard
to the circumstances exists or will be made for the spouses,
any children of either or both of them and any other
person prescribed by law, and
- iv. any further conditions prescribed by law are complied
with.

FIFTEENTH AMENDMENT OF THE
CONSTITUTION (NO. 2) BILL, 1995

BILL

(as initiated)

entitled

An Act to amend the Constitution.

*Presented by the Minister for Equality and Law
Reform,
13th September, 1995*

AN BILLE UM AN gCÚIGIÚ LEASÚ DÉAG
AR AN mBUNREACTH (UIMH. 2), 1995

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht chun an Bunreacht do leasú.

*An tAire Comhionannais agus Athchóirithe Dlí a
thíolaic,
13 Meán Fómhair, 1995*

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ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR

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