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

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

Mar a ritheadh ag dhá Theach an Oireachtais
As passed by both Houses of the Oireachtas

[No. 43*a* of 1995]

0800

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

As passed by both Houses of the Oireachtas

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 mBUNREACHT (UIMH. 2), 1995

Mar a ritheadh ag dhá Theach an Oireachtais

RIAR NA nALT

Alt

1. Airteagal 41 den Bhunreacht a leasú.

2. Lua.

AN SCEIDEAL

Cuid I

Cuid II

0801

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

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 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,

(*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.

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

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

BILLE

dá ngairtear

ACHT CHUN AN BUNREACHT 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:

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

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

Airteagal 41 den Bhunreacht a leasú.

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

(*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.

Lua.

2.—(1) An Cúigiú Leasú Déag ar an mBunreacht a thabharfar ar 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.

0802

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,

ii. nach bhfuil ionchas réasúnach ar bith ann go mbeidh comhréiteach idir na céilí,

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

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—

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,

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.

AN SCEIDEAL

Cuid 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,

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iv. go gcomhlíontar aon choinníollacha breise a bheidh forordaithe le dlí.

Cuid II

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,

ii. there is no reasonable prospect of a reconciliation between the spouses,

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.

0803

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

BILL

entitled

An Act to amend the Constitution.

Passed by both Houses of the Oireachtas,
18*th October,* 1995

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

BILLE

dá ngairtear

Acht chun an Bunreacht do leasú.

Ritheadh ag dhá Theach an Oireachtais,
18 *Deireadh Fómhair,* 1995

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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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