



**AN BILLE UM AN bhFICHIÚ LEASÚ AR AN mBUNREACHT,
1999
TWENTIETH AMENDMENT OF THE CONSTITUTION BILL, 1999**

EXPLANATORY MEMORANDUM

Purpose of Bill

The Bill is designed to amend the Constitution in order to achieve the following purposes:

- (a) to reduce from 21 to 18 the age at which a person can be a candidate for Dáil Éireann, and
- (b) to reduce from 35 to 18 the age at which a person can be a candidate for the Presidency.

Background

The Bill takes into account the need for a greater involvement of young people in the political process. It will also give the electorate more choice by broadening the range of potential candidates. For both of those reasons the Bill will be an enhancement of democracy.

Provisions of Bill

Section 1(1) will reduce from 35 to 18 the age at which a person can be a candidate for the Presidency. While in practice most candidates for the Office of President will be persons of long experience, there seems little logic in retaining the age of 35 as an artificial constitutional rule. Indeed at present, a 21 year old T.D. could be elected Ceann Comhairle and therefore could — as a member of the Presidential Commission — fulfil the functions of the Office of President. The Constitution Review Group were divided on the issue, and while a majority favoured no change, their report notes that “some members see no sufficient reason to differentiate in this respect between eligibility for Dail membership (and consequently for ministerial office) and for the Presidency, and were prepared to rely on the judgment of the electorate to make a proper choice between candidates.” On balance this argument commends itself as the better one.

In passing it should be noted that the section would also resolve a disparity between the Irish and English texts of Article 12 noted by the Constitution Review Group.

Section 1(2) will reduce from 21 to 18 the age at which a person can be a candidate for Dáil Éireann. It is consistent with the logic of 18 as the age of majority, the age for marriage, and voting age (Fourth Amendment of the Constitution Act, 1972). Again this change will encourage political participation by young people and will enhance voter choice. These arguments commend themselves as opposed to the more conservative views of the Constitution Review Group.

No further change is required to allow 18 year old Senators since the Constitution simply provides in Article 18.2 that citizens eligible to be T.D.s are also eligible to be Senators.

Section 2 provides for the citation.

*An Teachta Éamon Mac Giollamóir,
Máirtín, 1999.*