

An Bille um an bhFichiú Leasú ar an mBunreacht (Uimh. 2), 1999

Twentieth Amendment of the Constitution (No. 2) Bill, 1999

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



**TWENTIETH AMENDMENT OF THE CONSTITUTION
(NO. 2) BILL, 1999**

As passed by both Houses of the Oireachtas

ARRANGEMENT OF SECTIONS

Section

1. Amendment of the Constitution.
2. Citation.

SCHEDULE

Part I

Part II



**AN BILLE UM AN bhFICHIÚ LEASÚ AR AN
mBUNREACT (UIMH. 2), 1999**

Mar a ritheadh ag dhá Theach an Oireachtais

RIAR NA nALT

Alt

1. An Bunreacht a leasú.
2. Lua.

AN SCEIDEAL

Cuid I

Cuid II



**TWENTIETH AMENDMENT OF THE CONSTITUTION
(NO. 2) BILL, 1999**

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 I* of the *Schedule* to this Act shall be inserted after Article 28 of the Irish text,

(b) the Article the text of which is set out in *Part II* of the *Schedule* to this Act shall be inserted after Article 28 of the English text. 15

Citation.

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

(2) This Act may be cited as the Twentieth Amendment of the Constitution Act, 1999. 20



**AN BILLE UM AN bhFICHÍÚ LEASÚ AR AN
mBUNREACTH (UIMH. 2), 1999**

BILLE

dá ngairtear

5 ACHT CHUN AN BUNREACTH A LEASÚ.

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

AGUS DE BHRÍ go bhfuil beartaithe an Bunrecht a leasú:

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

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

An Bunrecht a leasú.

(a) cuirfear an tAirteagal a bhfuil an téacs de leagtha amach i *gCuid I* den *Sceideal* a ghabhann leis an Acht seo isteach i ndiaidh Airteagal 28 den téacs Gaeilge,

15 (b) cuirfear an tAirteagal a bhfuil an téacs de leagtha amach i *gCuid II* den *Sceideal* a ghabhann leis an Acht seo isteach i ndiaidh Airteagal 28 den téacs Sacs-Bhéarla.

2.—(1) An Fichiú Leasú ar an mBunrecht a thabharfar ar an Lua. leasú a dhéantar ar an mBunrecht leis an Acht seo.

20 (2) Féadfar an tAcht um an bhFichiú Leasú ar an mBunrecht, 1999, a ghairm den Acht seo.

SCHEDULE

Part I

RIALTAS ÁITIÚIL.

Airteagal 28A.

1. Admhaíonn an Stát an ról atá ag rialtas áitiúil maidir le fóram a chur ar fáil le haghaidh ionadaíochta daonlathaí do phobail áitiúla, maidir le cumhachtaí agus feidhmeanna a bheirtear le dlí a oibriú agus a chomhlíonadh ag leibhéal áitiúil agus maidir le leasanna na bpobal sin a chur chun cinn trína thionscnaimh. 5
2. Beidh cibé údaráis áitiúla dhírthofa ann a chinnfear le dlí agus déanfar a gcumhachtaí agus a bhfeidhmeanna a chinneadh amhlaidh, faoi chuimsiú fhorálacha an Bhunreachta seo, agus oibreofar agus comhlíonfar iad de réir dlí. 10
3. Ní foláir toghcháin do chomhaltaí de na húdaráis áitiúla sin a dhéanamh de réir dlí tráth nach déanaí ná deireadh an cúigiú bliain tar éis na bliana ina ndearnadh go deireanach iad. 15
4. Gach saoránach ag a bhfuil ceart vótála i dtoghchán comhaltaí do Dháil Éireann agus cibé daoine eile a chinnfear le dlí, beidh ceart vótála acu i dtoghchán comhaltaí cibé údaráis áitiúla dá dtagraítear in alt 2 den Airteagal seo a chinnfear le dlí. 20
5. Déanfar corrholúntais i gcomhaltas údarás áitiúil dá dtagraítear in alt 2 den Airteagal seo a líonadh de réir dlí.

Part II

LOCAL GOVERNMENT.

Article 28A. 25

1. The State recognises the role of local government in providing a forum for the democratic representation of local communities, in exercising and performing at local level powers and functions conferred by law and in promoting by its initiatives the interests of such communities. 30
2. There shall be such directly elected local authorities as may be determined by law and their powers and functions shall, subject to the provisions of this Constitution, be so determined and shall be exercised and performed in accordance with law.
3. Elections for members of such local authorities shall be held in accordance with law not later than the end of the fifth year after the year in which they were last held. 35
4. Every citizen who has the right to vote at an election for members of Dáil Éireann and such other persons as may be determined by law shall have the right to vote at an election for members of such of the local authorities referred to in section 2 of this Article as shall be determined by law. 40
5. Casual vacancies in the membership of local authorities referred to in section 2 of this Article shall be filled in accordance with law. 45

AN SCEIDEAL

Cuid I

RIALTAS ÁITIÚIL.

Airteagal 28A.

- 5 1. Admhaíonn an Stát an ról atá ag rialtas áitiúil maidir le fóram a chur ar fáil le haghaidh ionadaíochta daonlathaí do phobail áitiúla, maidir le cumhachtaí agus feidhmeanna a bheirtear le dlí a oibriú agus a chomhlíonadh ag leibhéal áitiúil agus maidir le leasanna na bpobal sin a chur chun cinn trína thionscnaimh.
- 10 2. Beidh cibé údaráis áitiúla dhírthofa ann a chinnfear le dlí agus déanfar a gcumhachtaí agus a bhfeidhmeanna a chinneadh amhlaidh, faoi chuimsiú fhorálacha an Bhunreacht seo, agus oibreofar agus comhlíonfar iad de réir dlí.
- 15 3. Ní foláir toghcháin do chomhaltaí de na húdaráis áitiúla sin a dhéanamh de réir dlí tráth nach déanaí ná deireadh an cúigiú bliain tar éis na bliana ina ndearnadh go deireanach iad.
- 20 4. Gach saoránach ag a bhfuil ceart vótála i dtoghchán comhaltaí do Dháil Éireann agus cibé daoine eile a chinnfear le dlí, beidh ceart vótála acu i dtoghchán comhaltaí cibé údaráis áitiúla dá dtagraítear in alt 2 den Airteagal seo a chinnfear le dlí.
5. Déanfar corrpholúntais i gcomhaltas údarás áitiúil dá dtagraítear in alt 2 den Airteagal seo a líonadh de réir dlí.

Cuid II

LOCAL GOVERNMENT.

25 Article 28A.

- 30 1. The State recognises the role of local government in providing a forum for the democratic representation of local communities, in exercising and performing at local level powers and functions conferred by law and in promoting by its initiatives the interests of such communities.
2. There shall be such directly elected local authorities as may be determined by law and their powers and functions shall, subject to the provisions of this Constitution, be so determined and shall be exercised and performed in accordance with law.
- 35 3. Elections for members of such local authorities shall be held in accordance with law not later than the end of the fifth year after the year in which they were last held.
- 40 4. Every citizen who has the right to vote at an election for members of Dáil Éireann and such other persons as may be determined by law shall have the right to vote at an election for members of such of the local authorities referred to in section 2 of this Article as shall be determined by law.
- 45 5. Casual vacancies in the membership of local authorities referred to in section 2 of this Article shall be filled in accordance with law.