An Bille um an Ochtú Leasú is Tríocha ar an mBunreacht (Neodracht), 2018

Thirty-Eighth Amendment of the Constitution (Neutrality) Bill 2018

Mar a tionscnaíodh

As initiated

[No. 121 of 2018]

THIRTY-EIGHTH AMENDMENT OF THE CONSTITUTION (NEUTRALITY) BILL 2018

As initiated

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[No. 121 of 2018]

AN BILLE UM AN OCHTÚ LEASÚ IS TRÍOCHA AR AN mBUNREACHT (NEODRACHT), 2018

Mar a tionscnaíodh

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[Uimh. 121 de 2018]

THIRTY-EIGHTH AMENDMENT OF THE CONSTITUTION (NEUTRALITY) BILL 2018

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 Articles 28 and 29 of the Constitution:

Be it therefore enacted by the Oireachtas as follows:

Amendment of Articles 28.3.1° and 29.3 of the Constitution

1. The Constitution is hereby amended as follows:

(a) the subsection the text of which is set out in *Part 1* of *Schedule 1* to this Act, shall be inserted in place of subsection 3.1° of Article 28 of the Irish text;

(b) the subsection the text of which is set out in *Part 2* of *Schedule 2* to this Act, shall be inserted in place of subsection 3.1° of Article 28 of the English text;

(c) the subsection the text of which is set out in *Part 1* of *Schedule 2* to this Act, shall be inserted after section 2 of Article 29 of the Irish text;

(d) the subsection the text of which is set out in *Part 2* of *Schedule 2* to this Act, shall be inserted after section 2 of Article 29 of the English text;

(e) sections 3, 4, 5, 6, 7 and 8 of Article 29 of both texts shall be numbered as sections 4, 5, 6, 7, 8 and 9.

Citation

2. (1) The amendment of the Constitution effected by this Act shall be called the Thirty-Eighth Amendment of the Constitution.

(2) This Act may be cited as the Thirty-Eighth Amendment of the Constitution (Neutrality) Act 2018.

AN BILLE UM AN OCHTÚ LEASÚ IS TRÍOCHA AR AN mBUNREACHT (NEODRACHT), 2018

Bille

dá ngairtear

Acht chun an Bunreacht a 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 Airteagail 28 agus 29 den Bhunreacht a leasú:

Achtaítear ag an Oireachtas ar an ábhar sin mar a leanas:

Airteagail 28.3.1° agus 29.3 den Bhunreacht a leasú

1. Leasaítear an Bunreacht leis seo mar a leanas:

(a) cuirfear an fo-alt a bhfuil an téacs de leagtha amach i *gCuid 1* de *Sceideal 1* a ghabhann leis an Acht seo isteach in ionad fho-alt 3.1° d’Airteagal 28 den téacs Gaeilge;

(b) cuirfear an fo-alt a bhfuil an téacs de leagtha amach i *gCuid 2* de *Sceideal 1* a ghabhann leis an Acht seo isteach in ionad fho-alt 3.1° d’Airteagal 28 den téacs Sacs-Bhéarla;

(c) cuirfear an fo-alt a bhfuil an téacs de leagtha amach i *gCuid 1* de *Sceideal 2* a ghabhann leis an Acht seo isteach i ndiaidh alt 2 d’Airteagal 29 den téacs Gaeilge;

(d) cuirfear an fo-alt a bhfuil an téacs de leagtha amach i *gCuid 2* de *Sceideal 2* a ghabhann leis an Acht seo isteach i ndiaidh alt 2 d’Airteagal 29 de téacs Sacs-Bhéarla;

(e) déanfar ailt 3, 4, 5, 6, 7 agus 8 d’Airteagal 29 den dá théacs a uimhriú mar ailt 4, 5, 6, 7, 8 agus 9.

Lua

2. (1) An tOchtú Leasú is Tríocha ar an mBunreacht a thabharfar ar an Leasú a dhéantar ar an mBunreacht leis an Acht seo.

(2) Féadfar an tAcht um an Ochtú Leasú is Tríocha ar an mBunreacht (Neodracht), 2018 a ghairm den Acht seo.

SCHEDULE 1

Part 1

3.1° Ní dleathach cogadh a fhógairt ná páirt a bheith ag an Stát in aon chogadh ná in aon choinbhleacht eile faoi arm, ná cúnamh a thabhairt do chumhachtaí coigríche ar aon slí chun ullmhú le haghaidh cogaidh nó coinbhleacht eile faoi arm, ná cogadh nó coinbhleacht eile faoi arm a dhéanamh, ach amháin i gcás go bhfuil riachtanas leis láithreach chun an Stát a chosaint agus le haontú Dháil Éireann.

Part 2

3.1° War shall not be declared and the State shall not participate in any war or other armed conflict, nor aid foreign powers in any way in preparation for war or other armed conflict, or conduct of war or other armed conflict, save where it is immediately necessary in defence of the State and with the assent of Dáil Éireann.

SCEIDEAL 1

Cuid 1

3.1° Ní dleathach cogadh a fhógairt ná páirt a bheith ag an Stát in aon chogadh ná in aon choinbhleacht eile faoi arm, ná cúnamh a thabhairt do chumhachtaí coigríche ar aon slí chun ullmhú le haghaidh cogaidh nó coinbhleacht eile faoi arm, ná cogadh nó coinbhleacht eile faoi arm a dhéanamh, ach amháin i gcás go bhfuil riachtanas leis láithreach chun an Stát a chosaint agus le haontú Dháil Éireann.

Cuid 2

3.1° War shall not be declared and the State shall not participate in any war or other armed conflict, nor aid foreign powers in any way in preparation for war or other armed conflict, or conduct of war or other armed conflict, save where it is immediately necessary in defence of the State and with the assent of Dáil Éireann.

SCHEDULE 2

Part 1

3 Dearbhaíonn Éire gur stát neodrach í. Chun na críche sin, cloífidh an Stát, go sonrach, le beartas gan a bheith ina chomhalta de chomhghuaillíochtaí míleata.

Part 2

3 Ireland affirms that it is a neutral state. To this end the State shall, in particular, maintain a policy of non-membership of military alliances.

SCEIDEAL 2

Cuid 1

3 Dearbhaíonn Éire gur stát neodrach í. Chun na críche sin, cloífidh an Stát, go sonrach, le beartas gan a bheith ina chomhalta de chomhghuaillíochtaí míleata.

Cuid 2

3 Ireland affirms that it is a neutral state. To this end the State shall, in particular, maintain a policy of non-membership of military alliances.

Thirty-Eighth Amendment of the Constitution (Neutrality) Bill 2018

BILL

(as initiated)

entitled

An Act to amend the Constitution.

Introduced by Deputies Aengus Ó Snodaigh and Seán Crowe,

13*th November,* 2018

An Bille um an Ochtú Leasú is Tríocha ar an mBunreacht (Neodracht), 2018

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht chun an Bunreacht a leasú.

Na Teachtaí Aengus Ó Snodaigh agus Seán MacConcradha a thug isteach,

13 *Samhain,* 2018

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