

Direachtas Library



54023001304812

THIRD AMENDMENT OF THE CONSTITUTION BILL
1958

An Bille um an Triú Leasú ar an
mBunreacht, 1958.

Third Amendment of the
Constitution Bill, 1958.

Mar do tugadh isteach.

As introduced,

[No. 25 of 1958.]



**THIRD AMENDMENT OF THE CONSTITUTION BILL,
1958.**

As introduced.

ARRANGEMENT OF SECTIONS.

Section.

1. Amendment of Article 16 of the Constitution.
2. Citation.

SCHEDULE.

PART I.

PART II.

Bills of the Oireachtas on Constitution, 9 No. 1958.

Passed by both Houses of the Oireachtas, 26th December, 1958.

BAILE ÁTHA CLUICHTH:
AGNA PROHSIC AG OIRT AN MOLATHAIR

DUBLIN:
PUBLISHED BY THE STATIONERY OFFICE.

to be purchased through the Oifig Diolta Poblachtaí Rialtais, No. 24, Upper Lee Street, Dublin 4, or through the Stationery Office.

To be purchased through any bookseller, or directly from the Government Publications Sales Office, G.P.O. Street, Dublin.

Clárúcháir ag CURRY & Co., Ltd.

[B22176 25-507]
Printed by CURRY & Co., Ltd.

[Léach, Dáta Seolúcháir agus Fáil Glas.]

[Price: Two Shillings and Sixpence Net.]



THIRD AMENDMENT OF THE CONSTITUTION BILL
THE CONSTITUTION AS AMENDED BY THE CONSTITUTION ACT, 1937
**AN BILLE UM AN TRÍÚ LEASÚ AR AN mBUNREACHT,
1958.**

Mar do tugadh isteach.

RIAR NA nALT.

Alt.

1. Airteagal 16 den Bhunreacht do leasú.
2. Luadh.

AN SCEIDEAL.

CUID I.

CUID II.



THIRD AMENDMENT OF THE CONSTITUTION BILL,
1958.

THIRD AMENDMENT OF THE CONSTITUTION OF
THE STATE OF IRELAND
1958

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 16 of the Constitution: 10

BE IT THEREFORE ENACTED BY THE OIREACHTAS AS FOLLOWS:—

Amendment of
Article 16
of the
Constitution.

1.—Article 16 of the Constitution is hereby amended—

(a) as respects the Irish text, by—

(i) the deletion of section 2 and the insertion in its place of the sections set out in Part I of the Schedule to this Act, and 15

(ii) the alteration of the numbers of sections 3, 4, 5, 6 and 7 from those numbers to "8", "9", "10", "11" and "12", respectively, and 20

(b) as respects the English text, by—

(i) the deletion of section 2 and the insertion in its place of the sections set out in Part II of the Schedule to this Act, and

(ii) the alteration of the numbers of sections 3, 4, 5, 6 and 7 from those numbers to "8", "9", "10", "11" and "12", respectively. 25

Citation.

2.—(1) The amendment of the Constitution effected by this Act shall be known as and may for all purposes be referred to as the Third Amendment of the Constitution. 30

(2) This Act may be cited as the Third Amendment of the Constitution Act, 1958.

SCHEDULE.

PART I.

2. 1° Is ionadóirí do dháil-cheanntaibh comhaltaí Dháil 35 Éireann, agus ní toghfar ach comhalta amháin do gach dáil-cheanntar ar leith.



**AN BILLE UM AN TRÍÚ LEASÚ AR AN mBUNREACTH,
1958.**

BILLE

dá ngairmtear

5 **ACHT CHUN AN BUNREACTH DO LEASÚ.**

DE BHRÍ gur cead, de bhuidh Airteagail 46 den Bhunreacth, foráileamh ar bith den Bhunreacth do leasú ar an modh socraítear leis an Airteagal san :

10 AGUS DE BHRÍ go bhfuil beartaithe Airteagal 16 den Bhunreacth do leasú :

20 **ACHTAÍTEAR AG AN OIREACHTAS AR AN ABHAR SAN MAR LEANAS :—**

1.—Leasaítear leis seo Airteagal 16 den Bhunreacth—

Airteagal
16 den
Bhunreacth
do leasú.

(a) maidir leis an téacs Gaeilge—

15 (i) trí alt 2 do seriosadh agus na hailt atá leagtha amach i gCuid I den Sceideal a ghabhann leis an Acht so do chur ina ionad, agus

20 (ii) trí uimhreacha alt 3, 4, 5, 6 agus 7 d'athrú ó na huimhreacha san go dtí " 8 ", " 9 ", " 10 ", " 11 " agus " 12 ", fá seach, agus

(b) maidir leis an téacs Sacs-Bhéarla—

(i) trí alt 2 do seriosadh agus na hailt atá leagtha amach i gCuid II den Sceideal a ghabhann leis an Acht so do chur ina ionad, agus

25 (ii) trí uimhreacha alt 3, 4, 5, 6 agus 7 d'athrú ó na huimhreacha san go dtí " 8 ", " 9 ", " 10 ", " 11 " agus " 12 ", fá seach.

30 **2.—(1) An Tríú Leasú ar an mBunreacth do bhéarf ar an leasú a déantar ar an mBunreacth leis an Acht so agus is cead, chun gach críche, an ainm sin do ghairm de.** Luadh.

(2) Féadfar an tAcht um an Tríú Leasú ar an mBunreacth, 1958, do ghairm den Acht so.

AN SCEIDEAL.

Cuid I.

35 **2. 1°** Is ionadóirí do dháil-cheanntaibh comhaltaí Dháil Éireann, agus ní toghfar ach comhalta amháin do gach dáil-cheanntar ar leith.

2° Is do réir an aon-ghotha neamh-ionaistrichthe a toghfar na comhaltaí agus is é an t-iarrthóir i ndáil-cheanntar a gheobhas an líon is mó bhótaí a toghfar, ach féadfar socrú do dhéanamh le dligheadh chun a chinneadh cé a toghfar i gcás gan a leithéid d'iarrthóir do bheith ann toise gurb ionann an líon bhótaí a bheas 5 faighte ag beirt iarrthóir nó níos mó.

3° Cinnfear an líon dáil-cheanntar le dligheadh ó am go ham, ach ní cead a lán-líon do bheith fá bhun dáil-cheanntair amháin i n-aghaidh gach tríocha míle den daonraidh ná ós cionn dáil-cheanntair amháin i n-aghaidh gach fiche míle den daonraidh. 10

3. 1° Bunóchar Coimisiún Dáil-cheanntar ó am go ham mar a chinnfeas an tUachtarán, ach déanfar sin uair amháin ar a laighead insan dá bhliadhain déag.

2° Móirsheisear comhaltaí a ceapfar ag an Uachtarán a bheas i gCoimisiún Dáil-cheanntar: ceapfar comhalta amháin díobh tar 15 éis don Uachtarán comhairle do ghlacadh leis an gComhairle Stáit, ceapfar triúr díobh as comhaltas Dháil Éireann ar n-a n-ainmniú ag an Taoiseach agus ceapfar triúr díobh as comhaltas Dháil Éireann ar n-a n-ainmniú ag Cathaoirleach Dháil Éireann.

3° An comhalta de Choimisiún Dáil-cheanntar a ceapfar tar éis 20 don Uachtarán comhairle do ghlacadh leis an gComhairle Stáit is as breitheamhnaibh na Cúirte Uachtaraighe agus na hÁrd-Chúirte a ceapfar é agus is é a bheas ina Chathaoirleach ar an gCoimisiún.

4° Na comhaltaí de Choimisiún Dáil-cheanntar a ceapfar ar n-a n-ainmniú ag Cathaoirleach Dháil Éireann roghnóchar iad as na 25 comhaltaíbh de Dháil Éireann a chinnfeas Cathaoirleach Dháil Éireann do bheith i bhfreasabhra, agus ar bhonn agus ar mhodh a chinnfeas seisean.

5° Tig le comhalta ar bith de Choimisiún Dáil-cheanntar éirghe 30 as oifig trí n-a chur sin i n-iúil don Uachtarán.

6° Tig leis an Uachtarán, tar éis comhairle do ghlacadh leis an gComhairle Stáit agus ar adhbharaibh is leor leis féin, comhalta ar bith de Choimisiún Dáil-cheanntar do chur as oifig le hordú fá n-a láimh agus fá n-a Shéala, ach i gcás comhalta seachas an Cathaoirleach déanfaidh an tUachtarán, sara nglacfaidh sé 35 comhairle leis an gComhairle Stáit, comhairle do ghlacadh leis an Taoiseach má ba é an Taoiseach d'ainmnigh an comhalta, nó le Cathaoirleach Dháil Éireann má ba é Cathaoirleach Dháil Éireann d'ainmnigh an comhalta.

7° Ceathrar is córam do Choimisiún Dáil-cheanntar, agus is 40 dleaghtach do Choimisiún gníomhú d'aindeoin folamhantas ina geomhaltas.

4. 1° Chomh luath agus is féidir é tar éis Coimisiún Dáil-cheanntar do bhunú, iarrfaidh an tUachtarán ar an gCoimisiún 45 teoranta na ndáil-cheanntar do chinneadh nó d'aith-mheas.

2° Chomh luath agus is féidir é tar éis dóibh an t-iarratas d'fhagháil ón Uachtarán, rachaidh an Coimisiún i mbun teoranta na ndáil-cheanntar do chinneadh nó d'aith-mheas do réir córach agus cothroime, ag féachaint go cuibhe do ghnéithe geografacha agus do ranna riaracháin agus eríoch-ranna atá bunuighthe cheana agus, fá 50 chuimsiú na neithe sin, ar mhodh gur cothrom ar fuaid na dúithehe uile, a mhéid is féidir é, daonradh gach dáil-cheanntair ar leith do réir an daonáirimh is déidheanaighe dá ndearnadh roimhe sin.

3° Déanfaidh an Coimisiún, sé mhí ar a dhéidheanaighe tar éis dáta an iarratais ón Uachtarán, tuarascbháil do thairgsint don 55 Uachtarán ina leagfar amach teoranta na ndáil-cheanntar mar a bheid cinnte nó aith-mheasta ag an gCoimisiún de chomhaontadh a geomhaltaí uile nó le tromlach dá geomhaltaíbh, ach más rud é ná

2° Is do réir an aon-ghotha neamh-ionastrighthe a toghfar na comhaltaí agus is é an t-iarrthóir i ndáil-cheanntar a gheobhas an líon is mó bhótaí a toghfar, ach féadfar socrú do dhéanamh le dligheadh chun a chinneadh cé a toghfar i gcás gan a leithéid d'iarrthóir do bheith ann toise gurb ionann an líon bhótaí a bheas faighte ag beirt iarrthóir nó níos mó.

3° Cinnfear an líon dáil-cheanntar le dligheadh ó am go ham, ach ní cead a lán-líon do bheith fá bhun dáil-cheanntair amháin i n-aghaidh gach tríocha míle den daonraidh ná ós cionn dáil-cheanntair amháin i n-aghaidh gach fiche míle den daonraidh.

3. 1° Bunóchar Coimisiún Dáil-cheanntar ó am go ham mar a chinnfeas an tUachtarán, ach déanfar sin uair amháin ar a laighead insan dá bhliadhain déag.

2° Móirsheisear comhaltaí a ceapfar ag an Uachtarán a bheas i gCoimisiún Dáil-cheanntar: ceapfar comhalta amháin díobh tar éis don Uachtarán comhairle do ghlacadh leis an gComhairle Stáit, ceapfar triúr díobh as comhaltas Dháil Éireann ar n-a n-ainmniú ag an Taoiseach agus ceapfar triúr díobh as comhaltas Dháil Éireann ar n-a n-ainmniú ag Cathaoirleach Dháil Éireann.

3° An comhalta de Choimisiún Dáil-cheanntar a ceapfar tar éis don Uachtarán comhairle do ghlacadh leis an gComhairle Stáit is as breitheamhaibh na Cúirte Uachtaraighe agus na hÁrd-Chúirte a ceapfar é agus is é a bheas ina Chathaoirleach ar an gCoimisiún.

4° Na comhaltaí de Choimisiún Dáil-cheanntar a ceapfar ar n-a n-ainmniú ag Cathaoirleach Dháil Éireann roghnóchar iad as na comhaltaíbh de Dháil Éireann a chinnfeas Cathaoirleach Dháil Éireann do bheith i bhfreasabhra, agus ar bhonn agus ar mhodh a chinnfeas seisean.

5° Tig le comhalta ar bith de Choimisiún Dáil-cheanntar éirghe as oifig trí n-a chur sin i n-íúil don Uachtarán.

6° Tig leis an Uachtarán, tar éis comhairle do ghlacadh leis an gComhairle Stáit agus ar adhbharaibh is leor leis féin, comhalta ar bith de Choimisiún Dáil-cheanntar do chur as oifig le hordú fá n-a láimh agus fá n-a Shéala, ach i gcás comhalta seachas an Cathaoirleach déanfaidh an tUachtarán, sara nglacfaidh sé comhairle leis an gComhairle Stáit, comhairle do ghlacadh leis an Taoiseach má ba é an Taoiseach d'ainmnigh an comhalta, nó le Cathaoirleach Dháil Éireann má ba é Cathaoirleach Dháil Éireann d'ainmnigh an comhalta.

7° Ceathrar is córam do Choimisiún Dáil-cheanntar, agus is dleagthach do Choimisiún gníomhú d'aindeoin folamhantas ina geomhaltas.

4. 1° Chomh luath agus is féidir é tar éis Coimisiún Dáil-cheanntar do bhunú, iarrfaidh an tUachtarán ar an gCoimisiún teoranta na ndáil-cheanntar do chinneadh nó d'aith-mheas.

2° Chomh luath agus is féidir é tar éis dóibh an t-iarratas d'fhagháil ón Uachtarán, rachaidh an Coimisiún i mbun teoranta na ndáil-cheanntar do chinneadh nó d'aith-mheas do réir córach agus cothroime, ag féachaint go cuibhe do ghnéithe geografacha agus do ranna riaracháin agus críoch-ranna atá bunuighthe cheana agus, fá chuimsiú na neithe sin, ar mhodh gur cothrom ar fuaid na dúithehe uile, a mhéid is feidir é, daonradh gach dáil-cheanntair ar leith do réir an daonáirimh is déidheanaighe dá ndearnadh roimhe sin.

3° Déanfaidh an Coimisiún, sé mhí ar a dhéidheanaighe tar éis dáta an iarratais ón Uachtarán, tuarascbháil do thairgsint don Uachtarán ina leagfar amach teoranta na ndáil-cheanntar mar a bheid cinnte nó aith-mheasta ag an gCoimisiún de chomhaontadh a geomhaltaí uile nó le tromlach dá geomhaltaíbh,

tairgfear aon tuarascbháil amhlaidh, toise nár éirigh leis na comhaltaíbh uile nó le tromlach de na comhaltaíbh teacht ar chomh-aontadh, déanfaidh an Cathaoirleach, seacht mí ar a dhéidheanaighe tar éis dáta an iarratais ón Uachtarán, tuarascbháil do thairgsint don Uachtarán ina leagfar amach teoranta na ndáil-cheanntar mar a bheid cinnte nó aith-mheasta ag an gCathaoirleach, agus glacfar gurb í tuarascbháil an Choimisiúin an tuarascbháil sin. 5

4° Ní foláir tuarascbháil an Choimisiúin do bheith fá lámh an Chathaoirligh nó fá lámh chomhalta eile a n-ordóchaidh an Coimisiún dó a lámh do chur léi, agus ní tairgfear aon tuarascbháil mhionluchta. 10

5° Beidh an Coimisiún ar n-a lán-scor láithreach d'éis tuarascbháil an Choimisiúin do thairgsint don Uachtarán.

6° Ní cead do Chúirt ar bith áird do thabhairt ar aon cheist i dtaobh an Coimisiúin do bheith ar n-a chomhdhéanamh go cuibhe ná i dtaobh cinneadh nó aith-mheas na dteoranta do na dáil-cheanntaibh mar a bheid leagtha amach insan tuarascbháil do bheith déanta go cuibhe. 15

5. 1° Chomh luath agus is féidir é tar éis don Uachtarán tuarascbháil an Choimisiúin d'fhagháil, cuirfidh sé an tuarascbháil chun an Taoisigh, agus bhéarfaidh an Taoiseach go leagfar í fá bhrághaid Dháil Éireann. 20

2° Más rud é go ndéanfaidh Dáil Éireann, taobh istigh den cheithre lá dhéag is túisce a shuidhfeas Dáil Éireann tar éis an tuarascbháil do leagadh fá n-a brághaid, rún do rith ag leasú na tuarascbhála agus dhá dtrian ar a laighead de na comhaltaíbh a bheas i láthair agus a dhéanfas bhótáil do bheith i dtacaidheacht leis an rún, beidh an tuarascbháil ar n-a leasú dá réir sin. 25

3° Láithreach d'éis an lae dheiridh de na cheithre lá dhéag is túisce a shuidhfeas Dáil Éireann tar éis tuarascbháil an Choimisiúin do leagadh fá n-a brághaid, is iad na teoranta a bheas leagtha amach insan tuarascbháil, nó, i gcás Dáil Éireann do leasú na tuarascbhála, insan tuarascbháil ar n-a leasú amhlaidh, is teoranta do na dáil-cheanntaibh, ach ní thiofáidh atharruighthe ar bith dá ndéanfar ar na dáil-cheanntaibh i bhfeidhm i rith ré na Dála a bheas ina suidhe i n-alt na huaire. 30

6. Fá chuimsiú foráiltí an Airteagail seo, féadfar socrú do dhéanamh le dligheadh i dtaobh ní ar bith a bhaineas le Coimisiún Dáil-cheanntar nó le n-a geomhaltas. 35

7. 1° Go dtí an lá is túisce a lán-scoirfear Dáil Éireann tar éis an 15mhadh lá d'Aibreán, 1961, nó is túisce a lán-scoirfear í tar éis cibé dáta roimhe sin a cinnfear le rún ar n-a rith ag Dáil Éireann, is iad a bheas i geomhaltas Dháil Éireann ná ionadóirí do na dáil-cheanntaibh a socrúigheadh leis an dligheadh a bhí i bhfeidhm an 1mhadh lá d'Eanáir, 1959, agus is do réir an dlighidh sin a déanfar gach toghehán do chomhaltas Dháil Éireann, mar aon le líonadh corr-fholamhantas. 40

2° I gcás an duine a bheas ina Chathaoirleach ar Dháil Éireann díreach roimh an lán-scor dá dtagartar insan bhfó-alt roimhe seo den alt so, féadfar, d'aindeoin foráilte ar bith eile insan Airteagal so, a shoerú leis an dligheadh dá dtagartar in alt 11 den Airteagal so go measfar an duine sin do bheith toghtha mar dhara comhalta do dháil-cheanntar ina bhfuil cuid den dáil-cheanntar go raibh sé ina ionadóir dó roimh an lán-scor sin. 50

- ach más rud é ná tairgfear aon tuarascbháil amhlaidh, toise nár éirigh leis na comhaltaíbh uile nó le tromlach de na comhaltaíbh teacht ar chomhaontadh, déanfaidh an Cathaoirleach, seacht mí ar a dhéidheanaighe tar éis dáta an iarratais ón Uachtarán, tuarascbháil do thairgsint don Uachtarán ina leagfar amach teoranta na ndáil-cheanntar mar a bheid cinnte nó aith-mheasta ag an gCathaoirleach, agus glaeafar gurb í tuarascbháil an Choimisiúin an tuarascbháil sin.
- 4° Ní foláir tuarascbháil an Choimisiúin do bheith fá lámh an Chathaoirligh nó fá lámh chomhalta eile a n-ordócaidh an Coimisiúin dó a lámh do chur léi, agus ní tairgfear aon tuarascbháil mhionluchta.
- 5° Beidh an Coimisiún ar n-a lán-scor láithreach d'éis tuarascbháil an Choimisiúin do thairgsint don Uachtarán.
- 15 6° Ní cead do Chúirt ar bith áird do thabhairt ar aon cheist i dtaobh an Coimisiúin do bheith ar n-a chomhdhéanamh go cuibhe ná i dtaobh cinneadh nó aith-mheas na dteoranta do na dáil-cheanntaibh mara bheid leagtha amach insan tuarascbháil do bheith déanta go cuibhe.
- 20 5. 1° Chomh luath agus is féidir é tar éis don Uachtarán tuarascbháil an Choimisiúin d'fhagháil, cuirfidh sé an tuarascbháil chun an Taoisigh, agus bhéarfaidh an Taoiseach go leagfar í fá bhrághaid Dháil Éireann.
- 2° Más rud é go ndéanfaidh Dáil Éireann, taobh istigh den cheithre lá dhéag is túisce a shuidhfeas Dáil Éireann tar éis an tuarascbháil do leagadh fá n-a brághaid, rún do rith ag leasú na tuarascbhála agus dhá dtrian ar a laighead de na comhaltaíbh a bheas i láthair agus a dhéanfas bhótáil do bheith i dtacaídeacht leis an rún, beidh an tuarascbháil ar n-a leasú dá réir sin.
- 30 3° Láithreach d'éis an lae dheiridh de na cheithre lá dhéag is túisce a shuidhfeas Dáil Éireann tar éis tuarascbháil an Choimisiúin do leagadh fá n-a brághaid, is iad na teoranta a bheas leagtha amach insan tuarascbháil, nó, i gcás Dáil Éireann do leasú na tuarascbhála, insan tuarascbháil ar n-a leasú amhlaidh,
- 35 is teoranta do na dáil-cheanntaibh, ach ní thiofáidh atharruighthe ar bith dá ndéanfar ar na dáil-cheanntaibh i bhfeidhm i rith ré na Dála a bheas ina suidhe i n-alt na huaire.
6. Fá chuimsiú foráiltí an Airteagail seo, féadfar socrú do dhéanamh le dligheadh i dtaobh ní ar bith a bhaineas le Coimisiún
- 40 Dáil-cheanntar nó le n-a geomhaltas.
7. 1° Go dtí an lá is túisce a lán-scoirfear Dáil Éireann tar éis an 15mhadh lá d'Aibreán, 1961, nó is túisce a lán-scoirfear í tar éis cibé dáta roimhe sin a cinnfear le rún ar n-a rith ag Dáil Éireann, is iad a bheas i geomhaltas Dháil Éireann ná ionadóirí do na dáil-cheanntaibh a socrúigheadh leis an dligheadh a bhí i bhfeidhm an 15mhadh lá d'Eanáir, 1959, agus is do réir an dlighidh sin a déanfar gach toghchán do chomhaltas Dháil Éireann, mar aon le líonadh corr-fholamhantas.
- 2° I gcás an duine a bheas ina Chathaoirleach ar Dháil Éireann
- 50 díreach roimh an lán-scor dá dtagartar insan bhfó-alt roimhe seo den alt so, féadfar, d'aindeoin foráilte ar bith eile insan Airteagal so, a shoerú leis an dligheadh dá dtagartar in alt 11 den Airteagal so go measfar an duine sin do bheith toghtha mar dhara comhalta do dháil-cheanntar ina bhfuil cuid den dáil-cheanntar go raibh sé
- 55 ina ionadóir dó roimh an lán-scor sin.

PART II.

2. 1° Dáil Éireann shall be composed of members who represent constituencies, and one member only shall be returned for each constituency.

2° The members shall be elected on the system of the single non-transferable vote, the candidate in a constituency who receives the largest number of votes being elected, but provision may be made by law for determining who is to be elected where there is no such candidate because two or more candidates receive the same number of votes.

3° The number of constituencies shall be determined from time to time by law, but the total number of constituencies shall not be fixed at less than one constituency for each thirty thousand of the population or at more than one constituency for each twenty thousand of the population.

3. 1° A Constituency Commission shall be established from time to time when determined by the President, but not less frequently than once in every twelve years.

2° A Constituency Commission shall consist of seven members appointed by the President, of whom one shall be appointed after consultation by the President with the Council of State, three shall be appointed from the members of Dáil Éireann on the nomination of the Taoiseach and three shall be appointed from the members of Dáil Éireann on the nomination of the Chairman of Dáil Éireann.

3° The member of a Constituency Commission appointed after consultation by the President with the Council of State shall be appointed from the judges of the Supreme Court and High Court and shall be the Chairman of the Commission.

4° The members of a Constituency Commission appointed on the nomination of the Chairman of Dáil Éireann shall have been selected from the members of Dáil Éireann who are determined by him to be in opposition, and on a basis and in a manner determined by him.

5° Any member of a Constituency Commission may resign from office by placing his resignation in the hands of the President.

6° The President, after consultation with the Council of State, may, for reasons which to him seem sufficient, by an order under his hand and Seal, terminate the appointment of any member of a Constituency Commission, but in the case of a member other than the Chairman, the President, before having consultation with the Council of State, shall have consultation with the Taoiseach if the member was nominated by the Taoiseach, or with the Chairman of Dáil Éireann if the member was nominated by the Chairman of Dáil Éireann.

7° The quorum of a Constituency Commission shall be four, and a Commission may act notwithstanding vacancies in their membership.

4. 1° As soon as may be after the establishment of a Constituency Commission, the President shall request the Commission to determine or to revise the boundaries of the constituencies.

2° As soon as may be after the receipt of the request from the President, the Commission shall proceed to determine or to revise the boundaries of the constituencies on a fair and equitable basis, having due regard to geographical features and established administrative and territorial divisions and, subject to those considerations, in such manner that the population of each constituency, as ascertained at the last preceding census, shall, so far as it is practicable, be the same throughout the country.

CUID II.

2. 1° Dáil Éireann shall be composed of members who represent constituencies, and one member only shall be returned for each constituency.

5 2° The members shall be elected on the system of the single non-transferable vote, the candidate in a constituency who receives the largest number of votes being elected, but provision may be made by law for determining who is to be elected where there is no such candidate because two or more candidates receive the
10 same number of votes.

3° The number of constituencies shall be determined from time to time by law, but the total number of constituencies shall not be fixed at less than one constituency for each thirty thousand of the population or at more than one constituency for each
15 twenty thousand of the population.

3. 1° A Constituency Commission shall be established from time to time when determined by the President, but not less frequently than once in every twelve years.

2° A Constituency Commission shall consist of seven members
20 appointed by the President, of whom one shall be appointed after consultation by the President with the Council of State, three shall be appointed from the members of Dáil Éireann on the nomination of the Taoiseach and three shall be appointed from the members of Dáil Éireann on the nomination of the Chairman
25 of Dáil Éireann.

3° The member of a Constituency Commission appointed after consultation by the President with the Council of State shall be appointed from the judges of the Supreme Court and High Court and shall be the Chairman of the Commission.

30 4° The members of a Constituency Commission appointed on the nomination of the Chairman of Dáil Éireann shall have been selected from the members of Dáil Éireann who are determined by him to be in opposition, and on a basis and in a manner determined by him.

35 5° Any member of a Constituency Commission may resign from office by placing his resignation in the hands of the President.

6° The President, after consultation with the Council of State, may, for reasons which to him seem sufficient, by an order under his hand and Seal, terminate the appointment of any member of
40 a Constituency Commission, but in the case of a member other than the Chairman, the President, before having consultation with the Council of State, shall have consultation with the Taoiseach if the member was nominated by the Taoiseach, or with the Chairman of Dáil Éireann if the member was nominated by
45 the Chairman of Dáil Éireann.

7° The quorum of a Constituency Commission shall be four, and a Commission may act notwithstanding vacancies in their membership.

4. 1° As soon as may be after the establishment of a Constituency Commission, the President shall request the Commission to determine or to revise the boundaries of the constituencies.
50

2° As soon as may be after the receipt of the request from the President, the Commission shall proceed to determine or to revise the boundaries of the constituencies on a fair and equitable basis, having due regard to geographical features and established administrative and territorial divisions and, subject to those considerations, in such manner that the population of each constituency, as ascertained at the last preceding census, shall, so far as it is practicable, be the same throughout the country.
55

3° The Commission shall, not later than six months after the date of the President's request, present to the President a report setting out the boundaries of the constituencies as determined or revised by the Commission either with the unanimous agreement of their members or by a majority, but if, because of failure to secure unanimous agreement or agreement by a majority, no report is so presented, the Chairman shall, not later than seven months after the date of the President's request, present to the President a report setting out the boundaries of the constituencies as determined or revised by the Chairman, and that report shall be taken as the report of the Commission.

4° The Commission's report shall be signed by the Chairman or other member so directed by the Commission, and no minority report shall be presented.

5° Immediately after the Commission's report has been presented, the Commission shall stand dissolved.

6° No Court shall entertain any question as to whether the Commission has been properly constituted or any question as to whether the determination or revision of the boundaries of constituencies as set out in their report has been properly carried out.

5. 1° As soon as may be after the receipt by him of the Commission's report, the President shall send the report to the Taoiseach, who shall cause it to be laid before Dáil Éireann.

2° If, within the next fourteen days on which Dáil Éireann has sat after the report is laid before it, a resolution amending the report is passed by Dáil Éireann and supported by not less than two-thirds of the members present and voting, the report shall be amended accordingly.

3° Immediately after the last of the next fourteen days on which Dáil Éireann has sat after the Commission's report is laid before it, the boundaries set out in the report, or, where the report has been amended by Dáil Éireann, in the report as so amended, shall become and be the boundaries of the constituencies, provided that any alterations in the constituencies shall not take effect during the life of Dáil Éireann then sitting.

6. Subject to the provisions of this Article, any matter whatsoever relating to Constituency Commissions or their members may be provided for by law.

7. 1° Until the date of the dissolution of Dáil Éireann occurring next after the 15th day of April, 1961, or occurring next after such earlier date as may be determined by a resolution passed by Dáil Éireann, Dáil Éireann shall be composed of members who represent the constituencies determined by the law in force on the 1st day of January, 1959, and all elections for membership of Dáil Éireann, including the filling of casual vacancies, shall take place in accordance with that law.

2° In the case of the person who is the Chairman of Dáil Éireann immediately before the dissolution referred to in the foregoing sub-section of this section, the law referred to in section 11 of this Article may, notwithstanding any other provision of this Article, enable him to be deemed to be elected as a second member for a constituency which includes a part of the constituency he represented before that dissolution.

3° The Commission shall, not later than six months after the date of the President's request, present to the President a report setting out the boundaries of the constituencies as determined or revised by the Commission either with the unanimous agreement of their members or by a majority, but if, because of failure to secure unanimous agreement or agreement by a majority, no report is so presented, the Chairman shall, not later than seven months after the date of the President's request, present to the President a report setting out the boundaries of the constituencies as determined or revised by the Chairman, and that report shall be taken as the report of the Commission.

4° The Commission's report shall be signed by the Chairman or other member so directed by the Commission, and no minority report shall be presented.

5° Immediately after the Commission's report has been presented, the Commission shall stand dissolved.

6° No Court shall entertain any question as to whether the Commission has been properly constituted or any question as to whether the determination or revision of the boundaries of constituencies as set out in their report has been properly carried out.

1° As soon as may be after the receipt by him of the Commission's report, the President shall send the report to the Taoiseach, who shall cause it to be laid before Dáil Éireann.

2° If, within the next fourteen days on which Dáil Éireann has sat after the report is laid before it, a resolution amending the report is passed by Dáil Éireann and supported by not less than two-thirds of the members present and voting, the report shall be amended accordingly.

3° Immediately after the last of the next fourteen days on which Dáil Éireann has sat after the Commission's report is laid before it, the boundaries set out in the report, or, where the report has been amended by Dáil Éireann, in the report as so amended, shall become and be the boundaries of the constituencies, provided that any alterations in the constituencies shall not take effect during the life of Dáil Éireann then sitting.

6. Subject to the provisions of this Article, any matter whatsoever relating to Constituency Commissions or their members may be provided for by law.

1° Until the date of the dissolution of Dáil Éireann occurring next after the 15th day of April, 1961, or occurring next after such earlier date as may be determined by a resolution passed by Dáil Éireann, Dáil Éireann shall be composed of members who represent the constituencies determined by the law in force on the 1st day of January, 1959, and all elections for membership of Dáil Éireann, including the filling of casual vacancies, shall take place in accordance with that law.

2° In the case of the person who is the Chairman of Dáil Éireann immediately before the dissolution referred to in the foregoing sub-section of this section, the law referred to in section 11 of this Article may, notwithstanding any other provision of this Article, enable him to be deemed to be elected as a second member for a constituency which includes a part of the constituency he represented before that dissolution.

THIRD AMENDMENT TO THE CONSTITUTION
BILL
An Act to amend the Constitution
Introduced by the Taoiseach
Ordered by Dáil Éireann to be printed
1959
Printed by GARRAL & CO., LTD.
[Price: Sixpence Net.]
PUBLISHED BY THE STATIONERY OFFICE
To be purchased through any bookseller or directly from the Government Publications Sales Office, G.P.O. Ardara, Dublin.
GARRAL & CO., LTD., 10, WINDYBUSH ROAD, DUBLIN.
[Litho: Bial Glan.]
WT. 20202/G/11. 622 11/58. C.A.C. (437). G. 18

**THIRD AMENDMENT OF THE
CONSTITUTION BILL, 1958.**

**AN BILLE UM AN TRÍO LEASÓ AR
AN mBUNREACHT, 1958.**

BILL

(as introduced)

entitled

An Act to amend the Constitution.

Introduced by the Taoiseach.

**Ordered by Dáil Éireann to be printed,
12th November, 1958.**

**DUBLIN:
PUBLISHED BY THE STATIONERY OFFICE,**

To be purchased through any bookseller, or directly
from the Government Publications Sale Office,
G.P.O. Arcade, Dublin.

Printed by CAHILL & Co., LTD.

[Price: Sixpence Net.]

Wt. B20762/G/11. 625. 11/58. C.&Co. (4237). G. 16.

BILLE

(mar do tugadh isteach)

dá ngairmtear

Acht chun an Bunreacht do leasú.

An Taoiseach do thug isteach.

**Do hordaíodh ag Dáil Éireann a chlóbhuailadh,
12 Samhain, 1958.**

**BAILE ÁTHA CLIATH:
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR,**

Le ceannach díreach ón Oifig Díolta Foilseachán Rialtais,
An Stuara, Ard Oifig an Phoist, Baile Átha Cliath,
nó trí son díoltóir leabhar.

CAHILL & Co., LTD., a chlóbhuail.

[Luach: Réal Glan.]