



**BILLE AN REIFRINN (LEASU), 1958.
REFERENDUM (AMENDMENT) BILL, 1958.**

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

ARRANGEMENT OF SECTIONS.

Section

1. Form of ballot papers at constitutional referendum.
2. Amendments consequential on *section 1*.
3. Voting by persons in employment of local returning officers.
4. Polling day at constitutional referendum also polling day at presidential or general election.
5. Constitutional referendum in relation to Third Amendment of the Constitution Bill, 1958.
6. Short title, collective citation and construction.

FIRST SCHEDULE.

FORM OF BALLOT PAPER AT CONSTITUTIONAL REFERENDUM.

SECOND SCHEDULE.

AMENDMENTS OF REFERENDUM ACT, 1942.



BILLE AN REIFRINN (LEASU), 1958.
REFERENDUM (AMENDMENT) BILL, 1958.

BILL

entitled

AN ACT TO AMEND THE REFERENDUM ACTS, 1942 AND 5
1946.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS :—

1.—At a constitutional referendum—

- (a) every ballot paper shall be in the form set out in the
First Schedule to this Act, and 10
- (b) the proposal which is the subject of the referendum shall
be stated on the ballot paper by citing by its short title
the Bill containing such proposal passed or deemed to
have been passed by both Houses of the Oireachtas.

**2.—The Referendum Act, 1942, shall have effect subject to the 15
amendments specified in the *Second Schedule* to this Act.**

3.—Where—

- (a) a person is entitled to vote at the poll at a referendum,
- (b) he is employed, by the local returning officer for the
constituency in which he is entitled to vote, for any 20
purpose in connection with the poll in that constituency,
and
- (c) the circumstances of his employment are, in the opinion of
that officer, such as to prevent him from voting at the
polling station at which he would otherwise be entitled 25
to vote,

that officer may authorise him in writing to vote at a specified
other polling station in that constituency, and the polling station
so specified shall, for the purpose of rule 8 of the rules contained
in the *First Schedule* to the Referendum Act, 1942, be deemed to 30
be the polling station allotted to him.

4.—(1) Whenever the polling day at a constitutional referen-
dum is also the day on which the poll at an election of a person
to the office of President of Ireland or at a general election is
taken, an authorisation under *section 3* of this Act, as well as 35
operating to authorise the person to whom it is given to vote at
the poll at the referendum at the polling station specified in the
authorisation, shall also operate to authorise him to vote at the
poll at the election at that polling station, and that polling
station shall, for the purposes of (as may be appropriate) rule 7 40
of the rules contained in the *First Schedule* to the Presidential
Elections Act, 1937, or rule 16 of the rules contained in the *Fifth*
Schedule to the Electoral Act, 1923, be deemed to be the polling
station allotted to him.

(2) Section 28 of the Referendum Act, 1942, as well as apply- 45
ing whenever the polling day at a constitutional referendum is

Form of
ballot
papers at
constitutional
referendum.

Amendments
consequential
on *section 1*.
1942, No. 8.

Voting by
persons in
employment
of local
returning
officers.

1942, No. 8.

Polling day at
constitutional
referendum also
polling day at
presidential or
general election.

1937, No. 32.
1923, No. 12.

1942, No. 8.

also the polling day at a general election, shall also apply whenever the polling day at a constitutional referendum is also the day on which the poll at an election of a person to the office of President of Ireland is taken and, for that purpose, references in that section to a general election shall be construed as including references to an election of a person to that office.

5.—At a constitutional referendum in relation to the Third Amendment of the Constitution Bill, 1958—

Constitutional
referendum in
relation to
Third Amendment
of the
Constitution
Bill, 1958.
1946, No. 30.

10 (a) a polling card sent under subsection (1) of section 4 of the Referendum (Amendment) Act, 1946, shall contain the statement set out in the Appendix to this section,

15 (b) a polling card shall also be sent by the local returning officer for a constituency to every elector whose name is on the register of Dáil electors for such constituency and is on the postal voters' list for such constituency,

(c) a polling card sent under *paragraph* (b) of this section—

20 (i) shall indicate that it is for a postal voter and shall accordingly not state the number and situation of polling place referred to in subsection (1) of the said section 4,

(ii) shall contain the statement referred to in *paragraph* (a) of this section, and

25 (iii) shall be sent by post to the elector at the same time as his ballot paper is sent, being addressed to him at the same address as is stated on the envelope in which the ballot paper is sent,

(d) subsections (3) to (6) of the said section 4 shall apply in relation to polling cards sent under *paragraph* (b) of this section,

30 (e) copies of the statement referred to in *paragraph* (a) of this section may be displayed in or in the precincts of polling stations,

35 (f) notwithstanding *section* 2 of this Act and *subparagraph* (ii) of *paragraph* 2 of the *Second Schedule* thereto, in applying *paragraph* (3) of rule 18 of the rules contained in the *First Schedule* to the Referendum Act, 1942—

1942, No. 8.

(I) the following subparagraph shall be substituted for subparagraph (a) of that paragraph:

40 “(a) the presiding officer shall read out to the voter the short title of the Bill containing the proposal to amend the Constitution as stated on the ballot paper and then ask the voter, ‘Do you approve of or do you object to that Bill becoming law?’”

(II) the following subparagraph shall be substituted for subparagraph (c) of that paragraph:

50 “(c) where the voter fails to understand the import of the said question, the presiding officer—

55 (i) shall read out to the voter such summary of the proposal which is the subject of the referendum as is contained in the statement set out in the Appendix to *section* 5 of the Referendum (Amendment) Act, 1959,

(ii) shall then ask the voter ‘Which do you wish to do—to vote in favour of the proposal? or to vote against the proposal?’, and

60 (iii) shall then mark the ballot paper in accordance with the answer of the voter.”

APPENDIX

The following Summary of the principal proposals in the Third Amendment of the Constitution Bill, 1958, is circulated for the information of voters :

At present, members of Dáil Éireann are elected on a system 5 of proportional representation for constituencies returning at least three members, each voter having a single transferable vote.

It is proposed in the Bill to abolish the system of proportional representation and to adopt, instead, a system of single-member constituencies, each voter having a single non-transferable vote. 10

It is also proposed in the Bill to set up a Commission for the determination and revision of the constituencies, instead of having this done by the Oireachtas, as at present.

If you APPROVE of the proposals in the Bill, place an X opposite the word YES on the Ballot Paper. 15

If you DO NOT APPROVE of the proposals in the Bill, place an X opposite the word NO on the Ballot Paper.

A copy of the full text of the Bill can be inspected and purchased at all Post Offices throughout the country.

Short title,
collective
citation and
construction.
1942, No. 8.

6.—(1) This Act may be cited as the Referendum (Amendment) 20 Act, 1959.

(2) The Referendum Acts, 1942 and 1946, and this Act may be cited together as the Referendum Acts, 1942 to 1959.

(3) This Act shall be construed as one with the Referendum Acts, 1942 and 1946. 25

FIRST SCHEDULE.

FORM OF BALLOT PAPER AT CONSTITUTIONAL REFERENDUM.

Form of front of ballot paper.

Comhdhuille
Reifrinn.
Referendum
counterfoil.

Uimhir }
Number }

An bhfuil tú ag toiliú leis an
togra chun an Bunreacht do
leasú atá sa Bhille thíosluaite?

Do you approve of the proposal
to amend the Constitution con- 30
tained in the under-mentioned
Bill?

	TÁ YES
	NÍL NO

TREORACHA I DTAOBH AN
PÁIPEAR SEO DO MHAR-
CÁIL.

INSTRUCTIONS FOR MARK-
ING THIS PAPER.

Má thoilíonn tú leis an togra,
cuir an marc "X" sa chearnóg
os coinne an fhocail "TÁ".

If you approve of the proposal, 35
place the mark "X" in the
square opposite the word
"YES".

Mura dtoilíonn tú leis an
togra, cuir an marc "X" sa
chearnóg os coinne an fhocail
"NÍL".

If you do not approve of the
proposal, place the mark "X" 40
in the square opposite the word
"NO".

Form of back of ballot paper.

Uimhir }
Number }

Dáilcheantar }
Constituency of }

Reifreann i dtaobh an Togra
chun an Bunreacht do leasú.

Referendum on Proposal to
amend the Constitution. 45

SECOND SCHEDULE.

AMENDMENTS OF REFERENDUM ACT, 1942.

1. Subsections (1), (2) and (3) of section 15 shall not apply in relation to a constitutional referendum and subsection (5) of that
5 section shall cease to have effect.

2. In the case of a constitutional referendum—

(i) in applying paragraph (1) of rule 3 of the rules contained in the First Schedule, the following subparagraph shall be substituted for subparagraph (b) of that paragraph :

10 “ (b) the short title of the Bill containing the proposal which is the subject of such referendum, and ”; and

(ii) in applying paragraph (3) of rule 18 of those rules, the following subparagraph shall be substituted for subparagraph (c) of that paragraph :

15 “ (c) where the voter fails to understand the import of the said question, the presiding officer shall read out to the voter the short title of the Bill to amend the Constitution as stated on the ballot paper and then ask the voter, ‘ Do you approve of or do you
20 object to that Bill becoming law?’ and then mark the ballot paper in accordance with the answer of the voter;”.

BILLE

dá ngairtear

Acht do leasú Achtanna an Reifrinn, 1942 agus 1946.

*Rite ag dhá Theach an Oireachtais,
12 Márta, 1959.*

BAILE ATHA CLIATH:
ARNA FHOILSIU AG OIFIG AN tSOLÁTHAIR.

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

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[*Luach : Naoi bPingne Glan.*]

BILL

entitled

An Act to amend the Referendum Acts, 1942 and 1946.

*Passed by both Houses of the Oireachtas,
12th March, 1959.*

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